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MILITARY UNION IN THE UNITED STATES AREA
ANALYTICAL SURVEY

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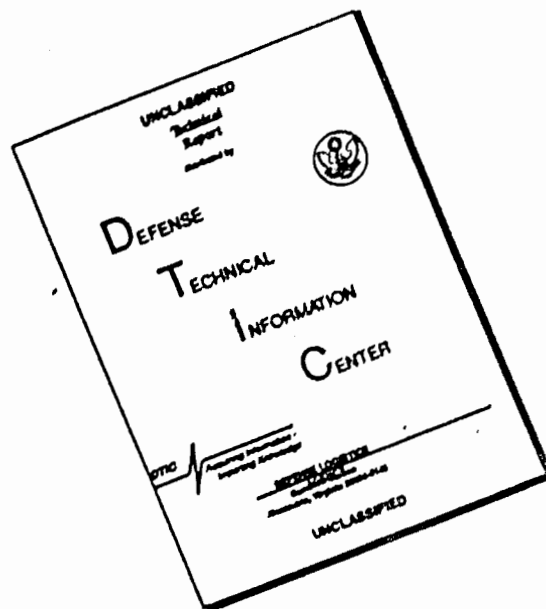
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LEVEL^{II}

(1)

A MILITARY UNION IN THE UNITED STATES ARMY?
AN ATTITUDE SURVEY

A Thesis

Presented to

The Faculty of the Department of Political Science
San Jose State University

In Partial Fulfillment
of the Requirements for the Degree
Master of Public Administration

By

Tobin Dean Seven

May, 1978

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Chapter 1

INTRODUCTION

Opening Statement

In the past few decades there has been a flurry of excitement as meatcutters, truckdrivers, policemen, and firemen have joined the union rolls. Areas once thought impregnable to unionization now proudly bear the union banner. As a result of this recruiting activity no longer can any organization consider itself safe from being organized; which the Army discovered much to its chagrin recently when it learned it had been targeted for unionization by one of the largest unions in the country, the American Federation of Government Employees.

Is it possible that the armed forces, which represents one of the last bastions of conservatism, could fall prey to union organizers? Richard Beaumont, former Assistant Secretary of the Navy, thinks it is not only possible but quite probable. He testified before the Defense Manpower Commission that ". . . the military can expect to be unionized by 1980 [emphasis added]." ¹ The

¹Bob Schweitz, "Unionized Military Predicted by '80," Air Force Times [Washington, D.C.], September 3, 1975, p. 10, col. 1.

former Assistant Secretary is not alone in his belief because many government officials share his conviction--and concern.

One of the people who agrees with Mr. Beaumont is the powerful chairman of the Senate Armed Services Committee, Senator Stennis, who recently introduced legislation aimed at banning unions from the military.

Senator Stennis' proposed legislation, Senate Bill 274, has ignited considerable debate over the issue of military unionism. The bill's supporters contend that moves to organize the military are "direct threats to national security," which has prompted union proponents to respond with claims that attempts to block unionization of the armed forces will result in the servicemen becoming "second class citizens."

The controversy continues to grow as charges and countercharges are exchanged between the opposing factions. Remarkably, however, there has been an absence of any real research conducted on the subject of military unionism which has made it difficult to render a truly objective decision as to whether the advantages to be accrued from union representation outweigh the disadvantages or vice versa.

In view of the increasing interest in union representation of the military, is the concept of military unionism significant enough to warrant further study?

Nearly four hundred thousand union members of the American Federation of Government Employees think so. They are joined by Senator Stennis and his forty cosponsors and the officers and enlisted personnel who responded to a questionnaire on the subject.

Definition

For the purpose of this thesis, a military union is defined as: An organized association composed of members of the Armed Forces of the United States who seek through group action to negotiate wages, working conditions, promotions, and the implementation of a grievance mechanism external to the military chain of command. This organized association will also act as a lobby in Congress to represent the serviceman's interests.²

Objectives of the Study

The purpose of this study is to use the results of a survey which was personally administered to 807 randomly selected officers and enlisted personnel to determine what influence educational level, rank, and years of military service have on their attitudes toward a military union in the United States Army.

The participants in the survey were all United

²Major Ronald V. Grabler, Military Unions: An Analysis of Unionization in Norway and Germany as It Relates to the United States (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1971), p. 1.

States Army personnel stationed at Fort Benjamin Harrison on active-duty status during the months of July and August of 1977. (Fort Benjamin Harrison is the Administration Center for the United States Army and is located two miles northeast of Indianapolis.)

A copy of the survey appears in Appendix A.

Limitations

Several unions have expressed interest in organizing the military. Of these only one, the American Federation of Government Employees (AFGE), has seriously considered representing the military. Consequently, this paper will concentrate on its organizational activities.

The military is represented by three services, the Army, Air Force, and Navy. It is beyond the scope of this thesis to examine the attitudes of all three branches toward the concept of a military union. Therefore, this paper focuses on the attitudes of one branch--the Army.

Assumptions

A military union in the United States Army: Such an idea would have been inconceivable to many who had served in the armed forces during World War II and the Vietnam conflict, yet such a concept is being seriously advocated today by the largest union representing federal civilian employees in the nation, the AFGE.

The support for military unionism is based on

several factors which will be examined in subsequent chapters. However, to facilitate the discussion process and to allow a more in depth analysis to be made of the servicemen's attitudes toward unionism, several assumptions were made.

The first assumption is that Congress will continue its present policy of reducing servicemen's benefits. The frequent benefit cuts are a source of irritation with many career-minded military personnel (those with five or more years of military service) who view such reductions with apprehension and uncertainty. This has resulted in a large number of career servicemen questioning whether or not a union could add stability to the present military environment which is characterized by rumors and threats of more reductions. If the legislature were to reassume its historic role of paternalism toward the armed forces, then the sentiment favoring unionism would largely disappear because Congress and not a military union would be providing the representation that the servicemen are seeking.

The second assumption is that the United States will not become involved in an armed conflict or war in the immediate future. In the event the nation was engaged in a military conflict, the question of whether military personnel should be allowed to join a union would be relegated to a nonissue because union representation of the

servicemen would not be immediately identifiable with national security, and thus, any attempts to organize the armed forces would unquestionably be prohibited as they would interfere with the successful accomplishment of the combat mission(s).

The last assumption is that the Army will not initiate an ombudsman system. The concept of an alternate grievance process or ombudsman was given serious consideration by former Army Chief of Staff, General Fred Weyand. It was advocated then that an ombudsman would give the "little guy," the enlisted man, a chance to be heard. Unfortunately for the servicemen, the concept was dropped when Bernard Rogers became Chief of Staff.³

At present there is little likelihood that an ombudsman would be added to the Army chain of command. However, if the unexpected were to occur and an ombudsman became a part of the military environment, union sentiment would be greatly reduced among military personnel because they would have an alternate means (outside of the Inspector General system) of resolving grievances and complaints.

Sources of Information

The chief source of information comes from a survey

³Dave Hinaman, "Military Voice Doesn't Have to Be Union," Army Times [Washington, D.C.], June 27, 1977, p. 17, col. 4.

conducted in July and August of 1977 at an Army post, Fort Benjamin Harrison, in Indiana. Responding to the survey were 807 Army officers and enlisted personnel.

The questionnaire (Appendix A) is made up of sixteen questions. To facilitate a comparison between Air Force and Army attitudes, the first six questions of this poll are identical to questions included in an Air Force survey given to 694 Air Force personnel in 1976.⁴

The remainder of the information comes from studies conducted by armed forces personnel and from two service newspapers--Army and Air Force Times.

Except for sporadic magazine articles, there has been little printed in the civilian press on military unions.

⁴Captain Leonard A. Amerise and Captain Wilfred F. Hoyt, Unionization of the Military: An Attitude Survey (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 20.

Chapter 2

HISTORY OF PUBLIC EMPLOYEE UNIONISM

Today's public employee unions did not suddenly emerge in their present form, rather, they evolved slowly and owed much of their organizational success to the private unions. Consequently, by reviewing the development of private sector unions one can better understand how the public unions came to be what they are today.

Initially, the history of the private sector unions will be examined; however, the main thrust of this chapter will be concentrated on the federal public employee unions as they contributed greatly toward creating the environment that was to later foster the present attempts at organizing the armed forces.

EARLIEST BEGINNINGS WERE IN PRIVATE INDUSTRY

The beginning of worker dissatisfaction with his job environment and earnings occurred in the private sector. It was from these "seeds of discontent" that emerged the beginnings of a unified effort on behalf of the employee to better his position in life.

The catalyst that was to forge the docile worker into an organized group was the oftentimes overbearing

factory owner. In the Middle Ages his counterpart would have been the repressive land baron or landowner.

Pre-Civil War

It was common in pre-Civil War days for a "paternalistic" attitude to develop between the employer and his employees. He took care of their needs and looked after their interests. It would have been unthinkable for an employer to forget or not know an employee's name. Every aspect of their lives was carefully planned and cared for by the factory owner.¹

This concern for the worker extended only to his material needs. Little significance was placed on the employee's happiness. Work that started at dawn and continued until sunset was the rule and not the exception. Workers lived under tightly regimented work schedules that allowed little deviation.

The turning point came in 1842 with the Commonwealth vs. Hunt decision. Even though the decision was rendered by a state court, it had far-reaching implications. For the first time workers who went on strike over working conditions could not be prosecuted as defendants in a criminal conspiracy case.²

¹Major Ronald R. Pruden and Major Robert A. Reilly, Toward Blue Locals (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 8.

²Philip Taft, "History of Labor in the United States," Collier's Encyclopedia (1978), XIV, 221.

Despite limited judicial recognition that workers had some rights, it was the introduction of mass production that was to bring about the end of the oppressive paternalistic system. This relief, however, was to be a two-edged sword. Even though mass production "freed" the worker, it also enslaved him in a system where the accent was on production. It was not uncommon for a worker to work his entire lifetime without meeting or even knowing who the factory owner was. Was it surprising that this led to increased hostility and frustration on the part of the faceless employees?³

Post-Civil War

The post-Civil War period was characterized by great change. The American Indian was reluctantly living on government reservations, and the iron horse, the locomotive, was replacing the pony express and stagecoach. Even the worker was changing. He still possessed the same frustrations that had been a constant companion of his father; however, he was looking for a solution. An organization called the Knights of Labor seemed to be the answer.

The Knights of Labor held the promise of great reform for the worker. Eager workers by the thousands joined the membership rolls. As the organization grew, the Knights embarked on a campaign to redistribute the wealth

³Pruden and Reilly, p. 10.

of the country with the workers. Unfortunately, the gentle persuasion turned into violent confrontations as the once placid workers turned to ugly mob action to achieve their goals. It was inevitable that the Knights of Labor would lose the one element that was necessary for their continued survival--public support.⁴

The demise of the Knights of Labor did not signal the end of the labor movement. Rather, it was an indication of how difficult the birth process can be.

The worker had learned from his brief tenure with organized labor that only through a concerted effort could he change his environment. Outright violence, however, alienated the very public that he was trying to enlist as an ally. This lesson was not to be forgotten.

The spark had been ignited. American industry was a tinderbox as the fire of the labor movement raced through the nation. The zeal of the workers to organize caused great concern in business circles. To stem labor's growing influence, business leaders turned to the government for help.

Washington responded by passing the Sherman Antitrust Act in 1890. Businessmen could now effectively thwart any strike that could be shown to have the potential of restraining interstate or foreign commerce. This was

⁴Taft, pp. 221-22.

not difficult to prove as the target of the strikers was often the large business enterprises which also shipped goods to other states. Thus, interstate commerce was involved, and the strikebreaking Sherman Antitrust Act could be invoked. This honeymoon between business and government was to dominate the scene until the Great Depression.⁵

The depression ended a lot of dreams for many people. For organized labor, however, the depression was to signal not the beginning of the end but the end of the beginning.⁶ Labor was to emerge from the depression era, no longer in its infancy but as a young adolescent with great potential.

How could this "adolescent" not have a bright future with the government as its godfather? In 1932 Washington passed the Norris-LaGuardia Act which abolished most strike injunctions. Three years later the Wagner Act was enacted. This act had great significance because it allowed unions to organize and authorized collective bargaining.

Armed with the protection of the Wagner Act, union

⁵Taft, p. 223.

⁶The exact quote by Winston Churchill was: "This is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning." Cited by Alan Palmer and Veronica Palmer, Quotations in History: A Dictionary of Historical Quotations c. 800 A.D. to the Present (New York: Harper & Row, 1976), p. 48.

membership steadily increased. The Labor Department verified this growth by reporting that "24.5 percent of the U.S. labor force belong to unions or associations that use collective bargaining or negotiations."⁷

The Labor Department statistics show the gains made by labor, but they do not reflect the precedent that the labor movement provided for the development of unions in the public sector.

THE START OF PUBLIC EMPLOYEE UNIONS

Employees in the public sector first experimented with the labor tactics of the private sector in 1835 and 1836. They went on strike. The issue at hand was a ten-hour work day for the Navy yard workers who were tired of working from dawn to dusk. The strike would have ended in failure had not a direct appeal to President Andrew Jackson been successful.⁸

The road to achieving comparability between the public and private sector was strewn with many obstacles. A public employee worked at the discretion of the

⁷Phil Nesbitt, "Unions, Let's Get It Straight," Army Reserve News [Washington, D.C.], May 9, 1977, p. 1.

⁸Colonel Jerome T. Hagen and Lieutenant Colonel Joe E. Johnson, A Unionized Military: Fact or Fiction? (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 23, citing Willem B. Vosloo, Collective Bargaining in the United States Federal Civil Service (Chicago: Public Personnel Association, 1966), p. 174.

government. He could be dismissed for any reason, and no justification had to be given. After all, the public official did not have to contend with the worker militancy that was sweeping private industry at this time.

The public employee was constantly playing catch-up to private industry. The Navy yard workers were demanding what industry already enjoyed--a ten-hour work day. Thirty years later, in 1868, Congress granted public employees an eight-hour work day, something industry had achieved years before.

It was not until 1912 that any significant legislation was enacted that benefited the public employee. Why had the public employee not organized long before the twentieth century?

Several reasons were advanced by Colonel Jerome Hagen and Lieutenant Colonel Joe Johnson, authors of the research study, A Unionized Military: Fact or Fiction? They contend that the financial crisis of 1873, which dealt the economy a severe blow, and the enactment of the Civil Service Act of 1873 were responsible.⁹

Unquestionably the Civil Service Act contributed greatly to the tardiness of public employees to organize. The Act had, in effect, created a distinction between the office worker--the white-collar employee and the "common"

⁹Hagen and Johnson, p. 24.

laborer--the blue-collar worker. The public employee came to believe that he was in a class above the industry worker. He forgot that his self-perceived "artificial class" was only a creation of Congress.

The desire on the part of the white-collar employee to remain apart from the industry worker also extended to organizing. As a result the public employee did not benefit from the gains of the private sector until well into the twentieth century.

The Twentieth Century

In 1912 Congress recognized the right of public employees to organize. The Lloyd-LaFollette Act was a big first step; however, no bargaining mechanism was included in the Act.

As a result of the Lloyd-LaFollette Act, the first "real" public union emerged in 1917. The National Federation of Federal Employees (NFFE) grew rapidly as public workers exercised their right to organize.¹⁰ Everything went smoothly until 1931 when the NFFE broke its affiliation with Samuel Gompers's American Federation of Labor (AF of L). The NFFE alleged that the AF of L was not concerned with the welfare of the government employee. In retaliation the AF of L created a public union, the

¹⁰ Paul P. Van Riper, History of the United States Civil Service (Evanston, Ill.: Row, Peterson & Co., 1958), p. 275.

present-day American Federation of Government Employees (AFGE), to compete with the maverick NFFE.¹¹

Disagreements between unions was not the only conflict occurring during the early twentieth century. The state governments were becoming more and more disenchanted with public unions because of their propensity to use strikes to win settlements from the states.

In 1919 the Boston police went on strike. The governor of the state was a future president, Calvin Coolidge. He rebuked the police union in words that also summed up the sentiments of society. "There is no right to strike against the public safety by anybody, anywhere, at any time."¹²

The President of the United States joined in by referring to the Boston police strike as "an intolerable crime against civilization."¹³

Public unions continued to excite governors and presidents by the increasing frequency of their illegal strikes. The public employees were trying to imitate the industrial unions. The only problem was that the private sector had been granted by Congress the right to collective

¹¹Hagen and Johnson, p. 26.

¹²A Chronology of Unionism in U.S. Public Employment (Washington, D.C.: American Federation of State, County, and Municipal Employees, AFL-CIO, [n.d.]), pp. 10-11.

¹³*Ibid.*, p. 11.

bargaining and to strike, two essential ingredients that the white-collar worker was lacking.

To show its displeasure with the way the public unions were conducting themselves, Congress decided to restrict union activities. Consequently, in 1947 the Taft-Hartley Act was passed which specifically prohibited strikes and defined unfair labor practices.

To insure that there would be no mistaking the government's displeasure at illegal strikes by public unions, Public Law 84-330 was enacted eight years after the Taft-Hartley Act. It made striking against the government a felony.

Magna Carta

Public union leaders fondly recall 1962 as what a wine connoisseur would refer to as a "vintage" year. In the year of 1962, public employee unionism came of age.

John F. Kennedy issued in that year Executive Order 10988. It recognized public unions at the federal level as bargaining agents and set up a grievance procedure. President Kennedy issued the order in response to the political support he had received from federal employees during the 1960 presidential campaign. He had won the election by less than 1/2 of 1 percent of the total votes cast, and without a clear mandate, felt vulnerable to the growing political pressure by federal employees to enjoy some of the same basic rights that their counterparts in

the private sector enjoyed.

Even though the executive order recognized the right of federal employees to organize, this recognition was not extended to the serviceman. Consequently, military personnel do not enjoy the right to organize into unions nor can they avail themselves of a bargaining procedure.¹⁴

Significant changes were made seven years later when Richard Nixon issued Executive Order 11491. This executive order revised Kennedy's executive order by establishing an Assistant Secretary of Labor to administer labor-government relations. The order also created a Federal Impasse Panel and a Federal Labor Relations Council.¹⁵

The president had initiated these changes to increase the responsiveness of the federal government to the needs of the government employee. In celebration of Nixon's empathy for the public employee, the postal workers went on a nationwide strike.

The postal strike ended when Congress capitulated and granted the strikers a pay increase. The public employee had come a long way since the Navy yard disputes

¹⁴ Lieutenant Colonel Peter B. Lane, Ezra S. Krendel, and Colonel William J. Taylor, Jr., Military Unionism and the Volunteer Military System (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1977), p. 23.

¹⁵ Exec. Order No. 11491, 34 Fed. Reg. 17605 (1969).

in the early 1800's.

A look at union membership is indicative of the distance that public unions have traveled. The American Federation of State, County and Municipal Employees (AFSCME), one of the largest public unions, claims over "700,000 dues-paying members."¹⁶

The rise in union activity has resulted in some federal agencies becoming almost entirely unionized as evidenced by a recent report by the Post Office Department that "90 percent of its employees are union members."¹⁷

MILITARY UNIONS

History

One of the first attempts by U.S. servicemen to organize occurred in Manila one year after the end of World War II. The one hundred and forty thousand troops stationed there were anxious to return to the United States. They decided to present their grievance as a group in hopes of speeding up the demobilization process.¹⁸ This organized attempt to resolve a grievance was born out of an act

¹⁶"Public Workers Under Fire--What Their Union Chief Says:," U.S. News & World Report, December 29, 1975, p. 51.

¹⁷Hagen and Johnson, p. 27.

¹⁸Walter Mossberg and Richard Levine, "Union Plans '76 Drive to Represent Servicemen; Legalities Are Explored, and Pentagon Shudders," Wall Street Journal, June 27, 1975, p. 30, col. 2.

of frustration rather than a desire to establish a permanent bargaining mechanism.

Twenty-one years after the unsuccessful attempt in Manila to organize, a serviceman by the name of Andy Stapp tried to establish a permanent bargaining unit within the Army. His ill-fated attempt to establish the American Serviceman's Union (ASU) in 1967 was as much a display of his anti-war feelings as his pro-union sentiments as evidenced by the stated objectives of his union:

1. The right to refuse to obey illegal orders.
2. Election of officers by vote of the rank and file.
3. An end to saluting and sirring of officers.
4. No troops to be sent into Black, Latin or other national minority communities.
5. An end to the prostitution and rape of Vietnamese and all other women.
6. No troops to be used against anti-war demonstrators.
7. No troops to be used against workers on strike.
8. Rank and file control of courtmartial boards.
9. The right of free political association.¹⁹

The objectives of ASU were too extreme to insure either a large membership or continued survival. The end of the Vietnam war and the advent of a volunteer army insured the demise of Andy Stapp's union.

A union that avoided the extremism of ASU can be found in the U.S. Military Physicians Union in Germany. It

¹⁹Major Ronald R. Pruden and Major Robert A. Reilly, Toward Blue Locals (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 37, citing William B. Calderwood, Jr., "Unionization of the American Military Services: Probable or Improbable" (unpublished Master's thesis, Marshall University, Huntington, W. Va., 1972), p. 80.

was formed several years ago to stabilize physicians' pay and to raise the quality of medical care. The union membership had stabilized at less than one hundred members and is not expected to grow because of its requirement that participants be physicians in the United States Army.²⁰

Old Directive

With the advent of Andy Stapp's serviceman's union in 1967, the defense community became alarmed at the possibility of more unions springing up. The anti-war demonstrations were at their height, and unrest among the troops was turning into outright rebellion in some units in Vietnam. There was fear in Washington that the climate was right for the organizing of the military.

The defense establishment decided to issue a directive to unit commanders on how to deal with military unions. Consequently, the Secretary of Defense spelled out departmental policy in Subsection III of Department of Defense Directive 1325.6 which states: "Commanders are not authorized to recognize or bargain with a so-called serviceman's union."²¹

²⁰"Doc's Union Formed by Army Surgeon," Army Times [Washington, D.C.], May 28, 1975, p. 20.

²¹"Civilian Union to Start Organizing Guard/Res," Air Force Times [Washington, D.C.], January 5, 1976, p. 6, col. 4.

Are Military Unions Legal?

Are military unions legal? The answer to that question was supplied by a Labor Department spokesman who stated that "existing laws and regulations appear to pose no barrier to membership in an organization that does not constitute a collective bargaining unit."²²

Why would it be prohibited for a serviceman to join a union if it advocated establishing collective bargaining? Do not servicemen enjoy the same rights as other public employees? It appears not. Military personnel are "specifically excluded," continued the same government official, "from the executive order [Executive Order 11491] that authorizes other federal employees to bargain collectively through labor unions."²³

The Army has supported the Labor Department interpretation. When Lieutenant Colonel Baker formed the U.S. Military Physicians Union in Germany, the Department of Defense made only one official comment. "Not prohibited."²⁴

It then appears that a serviceman can join a military union if that union does not plan to engage in collective bargaining. Military commanders, however, are

²²"Civilian Union," p. 6, col. 5.

²³Ibid., p. 6, col. 4.

²⁴"20 Doctors O'Seas Plan to Organize," Air Force Times [Washington, D.C.], July 16, 1975, p. 3.

not allowed to meet or negotiate with any union representing military personnel.

THE DIFFERENCE BETWEEN PUBLIC AND PRIVATE UNIONS

One of the major differences between public and private unions is the rights which they enjoy under the law.

In the private sphere, unions are allowed, by the Wagner Act, to organize and collectively bargain with industry. They have had this right since 1935. Private unions can also resort to a tactic that makes management's heart flutter--they can strike.

In the public sphere, the collective bargaining agenda that can be addressed by unions is quite limited. They can negotiate personnel policies and working conditions only. If the union goes out on strike, the members of the striking union join rapists and murderers, because they have all committed a felony in the eyes of the law.

Is a public union different than a private union? It certainly is. And this difference exists because of the law.

Chapter 3

ARE WE ENCOURAGING A UNION?

ADVENT OF THE VOLUNTEER ARMY

The volunteer Army: Many of today's youth would agree that the decision to put the word "volunteer" before "Army" was more than an exercise in semantics.

When the volunteer Army was instituted in 1973, an almost audible sigh of relief was breathed by millions of draft-age Americans. No longer did America's youth have to become participants in that much feared institution--the draft.

The demise of the draft heralded the beginning of a "new" Army. An Army that would have to compete in the job market and accept volunteers as employees.

Is the Army Just Another Job?

Is the Army just another job? The answer to this question would have been an emphatic "no" if it would have been asked before 1972. The Vietnam conflict was still raging and military service, even though unpopular, was still thought of by a large segment of society as an exercise of patriotism. Few Americans, except the ever-present

"professional soldier," thought of Army service as anything other than a temporary "call to duty."

Times have changed. The end of the Vietnam era brought about the abolition of the draft. No longer could the Army rely on the draft to replace "75 percent to 90 percent of the vacancies created by first term servicemen who did not remain in the military."¹ With no armed conflict in progress, the Army could not justify the continuation of the draft nor could it count on patriotism to fill the empty ranks in peacetime.

The Army Becomes an Employer

It became apparent to the military community that the Army would have to actively seek new recruits if it ever hoped to fill its badly depleted ranks. This meant that the Army would have to enter the job market and compete with other employers for employees. To accomplish this recruitment effort, General Westmoreland, Army Chief of Staff, "committed the Army to an all-out effort in working toward an all-volunteer force [emphasis added]."²

¹Major Frederick M. Beatty, Military Unionization: A Challenge to Civilian Supremacy (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 2, citing Major Keith N. Lacey, II, "An Air Force Blue Suit Union" (unpublished Air Command and Staff College research study, Air University, Maxwell Air Force Base, Alabama, 1974), pp. 1-2.

²Colonel D. Duncan Joy, Union Recognition--Its Effect on Enlistment (Alexandria, Va.: U.S. Department of

This all-out effort approach resulted in several significant changes in the Army. The first was a revamping of the Army's public image. The patriotic appeal of the aging "Uncle Sam Wants You" recruiting slogan was replaced by the more youth-orientated jingle, "Join the people Who've Joined the Army."

Commensurate with the slogan change was the adoption of a new advertising campaign. This new approach signaled a reversal in the Army's past practice of equating military service with patriotism and serving one's country. Tuition assistance, job-skill training, and choice of overseas assignments began to appear prominently in Army advertisements.

In an advertisement (Appendix B) placed in a weekly magazine with a circulation of over twenty million,³ the Army promised new recruits:

Skill training--hundreds of courses to choose from.
A chance to earn college credits with the Army paying up to 75% of the tuition.

Work in Europe, Alaska, Hawaii, Panama Canal Zone, Korea, or almost anywhere in the continental U.S.

Good starting pay, with 30 days paid vacations each year.

The challenge and the pride in serving your Country.⁴

Defense, Defense Documentation Center, 1973), p. 1, citing a speech delivered by General William C. Westmoreland to the Association of the United States Army, October 13, 1970, p. 1.

³ Advertisement, Forbes, November 1, 1977, p. 95.

⁴ Advertisement, T.V. Guide, October 29-November 24, 1977, pp. 18-18A.

The magazine advertisement is representative of all Army advertisements. Opportunities for job-skill training, tuition assistance, free medical health care, and paid vacations are espoused before "service to country."

The Army's attempt to compete in the job market has resulted in a transformation. The Army has become an employer seeking employees to perform a job. The distinction between military service and a civilian occupation has become greatly blurred.

The identification with the civilian marketplace becomes stronger as the Army continues to disdain the traditional role of the serviceman (e.g., infantryman) in favor of the job specialist.

Young men in the military increasingly think of themselves as meteorologists, pilots, economists, electrical engineers, political scientists, nuclear physicists, personnel, intelligence, and logistics experts.⁵

The civilization of the Army has led many new recruits to think of themselves as employees and the volunteer Army as just another job. Consequently, they have developed a closer identification with the civilian marketplace than with the Army.

Competition in the Job Market Is Expensive

The financial cost of enticing volunteers to become

⁵Major James E. Altwies, Why Would the Military Unionize? (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 14.

employees has been considerable. This cost has increased personnel expenditures to the point where they make up "nearly 56% of the defense budget."⁶

These additional monetary incentives may have a hidden cost that cannot be expressed in financial terms. Charles C. Moskos, a noted sociologist at Northwestern University, remarked that "the reliance on monetary incentives to recruit an armed force is quite consistent with trade unionism."⁷

The contention that a volunteer military force encourages the emergence of a military union because of its reliance on hiring volunteers as employees gained another voice of support in 1975. The supporter--the AFGE, is a union that wants to organize the Army. The General Counsel of the AFGE, Mr. Leo Pellerzi, stated, "It is a volunteer Army and that means people are selecting a military career as a means of livelihood and not for patriotic reasons. Servicemen today . . . want to be paid."⁸

⁶Lieutenant Colonel Peter B. Lane, Ezra S. Krendel, and Colonel William J. Taylor, Jr., Military Unionism and the Volunteer Military System (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1977), p. 1.

⁷"Unionism Would Spur Military Job Erosion," Air Force Times [Washington, D.C.], October 1, 1975, p. 18.

⁸Walter Mossberg and Richard Levine, "Union Plans '76 Drive to Represent Servicemen; Legalities Are Explored, and Pentagon Shudders," Wall Street Journal, June 27, 1975, p. 30, col. 1.

IS PATERNALISM A THING OF THE PAST?

In the United States Constitution, Congress was given the responsibility to raise and support an Army. Consequently, a close paternalistic relationship developed between the legislature and the armed forces. For over two hundred years, Congress provided for housing, medical and health insurance, and wages for the serviceman. Because of its close interest in the serviceman's welfare, there was deemed no reason to have an additional spokesman to represent the interests of the armed forces. Indeed, the legislature discharged this role to the mutual satisfaction of the serviceman and to the country.⁹

Paternalism, What
Happened to It?

The close relationship between Congress and the armed forces began to disappear with the advent of a volunteer Army. The demise of the Selective Service Act removed the mechanism for making the armed forces representative of society. The volunteer Army with its emphasis on recruiting volunteers tended to shift the responsibility of the care and welfare of the serviceman from Congress to

⁹Lieutenant Colonel James L. Quinn and Major Ronald V. Grabler, Military Unions: The Advantages and Disadvantages of Unionization Within the Armed Forces (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1971), p. 52.

the military.¹⁰

A definite erosion of Congressional paternalism began in 1972--several months before the creation of the volunteer Army. Since that time there have been numerous changes in pay and benefits for the serviceman. Vice Admiral James Watkins, Chief of Naval Personnel, has compiled information illustrating these changes. His data indicate that since 1972 Congress has enacted seventeen positive changes, twenty-one negative changes, and is considering fifteen more which would unfavorably affect the pay and benefits of the average serviceman.

What has been the reaction to these benefit cuts? Deputy Defense Secretary William Clements testified that the reduction in "military pay and benefits, is creating a situation in which unionization of the armed forces can flourish."¹¹ The Deputy Secretary's statement received additional support in the summer of 1977. Of the 120 Army personnel polled, 51 percent "believed [that] a military union could prevent fringe benefit losses."¹²

¹⁰Colonel Jerome T. Hagen and Lieutenant Colonel Joe E. Johnson, A Unionized Military: Fact or Fiction? (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 65.

¹¹"Restraints Could Encourage Unions," Air Force Times [Washington, D.C.], February 23, 1976, p. 10, col. 1.

¹²Gene Famiglietti, "Soldiers in Survey See Military Union as Saving Benefits," Army Times [Washington, D.C.], August 22, 1977, p. 6.

Benefit Changes Since '72

THE FOLLOWING list of benefit changes — both favorable to military people and those that unfavorably impacted on service members, retirees and dependents — was submitted July 18 by Vice Adm. James D. Watkins, Chief of Naval Personnel, to the Senate Armed Services Committee.

The listings appear exactly as presented by Watkins, except that some pending actions have been updated to reflect Senate action taken after the list was drawn up.

Changes That Favorably Impacted on Service People

ITEM	ACTIVITY	DATE	DETAILS
Retirees & Group Life Insurance	Increased basic amount from \$15,000 to \$20,000	May 74	Brought coverage in line with amounts carried by American families and compared rate to what is offered to Federal Government employees
Selective Recall Bonus	Payment made for lost salary	Jun 74	Improves retention, provides monetary incentive
PCS Mortgage Allowance	New mortgage program	Jul 74	Partial compensation for travel costs
Dependent Travel Allowance	Travel of dependents and spouse within 100 miles of home for 6-4 with over five years of service	Oct 78	Morale and retention. Delays costs of moving dependents
Travel Allowance	Revised rate to 15.5¢ a mile with 10¢ per mile for vehicle for local travel in conjunction with government business	Oct 78	Compensation for travel costs
On Duty Meals for TDY	Revised from \$25 to \$33 with Oct 78	Jan 78	Aligned with civilian rates. Service members reimbursed for expenses while on TDY
On-Duty Travel Allowance	Service member authorized to meet himself	June 78	Service member reimbursed 75% of what a would have cost Government to move him. Reimbursed for Government BME of 100 miles
Business Tax Exemption on Moving Expenses	Excludes relocation in gross income any amount received or accrued for reimbursement of expenses for military service	Jan 77	Service member not required to pay tax for something over which he has no control (income)
Veterans' Education Assistance Program (VEAP)	Enrolled as alternative to GI Bill. Government pays 50% for 4 years. VA matches \$7 per month. VA matches \$7 per \$1 (\$8100 max)	Jan 77	Possible entitlement incentive. Service member's contribution refunded if not used (100 days of 100,000 GI Bill)
Military Retired Pay Increase	Corrective legislation enacted for retirees	Oct 75	Protects active duty service members from loss of retirement pay for continuing on active duty. Increases retirement pay to continue serving
Changes in Survivor Benefit	Transferred irreducible contribution after 10 years. Reduced new deposits. Coverage will increase	Oct 78	Favorable financial impact on certain retirees and survivors
Annual Forces Health Professions Scholarship	Continued income for 10 years for 1978, 1979 for scholarship recipients prior to 1 Jan 77	Oct 78	Favorable secondary impact on recipients who entered program prior to 1 Jan 77
Reserve Participation in Individual Retirement Account	Ten Reserve Act provides that Reserve Component members may participate in IRA unless the member is on active duty for over 90 days during a year	Oct 78	Tax relief for members of the Reserve who desire to participate in IRA

Changes That Unfavorably Impacted on Service People

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Benelli Chaudes since 1955

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Will the Absence of
Paternalism Encourage
a Military Union?

It is difficult for today's Army recruit to view benefit cuts with anything other than apprehension and uncertainty. Any reduction is a matter of great concern to a new enlistee who is viewing military service as a potential career.

The continued lack of paternalism from Congress can only increase the feelings of insecurity that the serviceman is experiencing. Historically, the serviceman could look to Congress for not only his pay and benefits, but also his continued welfare and support. No longer is this true. A capitol hill reporter, Andy Plattner, stated, "Congress is on vacation and, as one congressional liaison says, 'military benefits are secure as long as they're gone.'"¹⁴

If Congress is unwilling to reassume its historic role of representing the serviceman, then a substitute will be found. The name of that substitute could possibly be a military union.

¹⁴Andy Plattner, "Benefits Secure . . . at Least Until Labor Day," Army Times [Washington, D.C.], August 22, 1977, p. 10, col. 1.

DID PRESIDENT FORD INVITE THE AFGE TO
UNIONIZE THE MILITARY?

Pay Comparability Act

In 1970 Congress passed the Federal Pay Comparability Act. Under the Act, the Office of Management and Budget recommends to the President a cost of living adjustment for federal employees. The size of the adjustment is dependent on a formula which takes into account the wages of comparable jobs in the private sector. The military was included in the Act with the enactment of Public Law 90-207 which mandated that military personnel automatically receive equivalent pay increases.¹⁵

The major reason behind the establishment of an automatic cost of living increase mechanism was not to make federal employees' salaries impervious to inflation. Rather, it was to remove "politics" from the granting of wage increases which adjusted for inflation.

The Invitation

President Ford, upon assuming office in 1974, attempted to thwart the original intention behind the passage of the Comparability Act. He proposed to Congress that the cost of living adjustment be postponed until some future date because he feared it would contribute to inflation. His proposal would have established a precedent

¹⁵Hagen and Johnson, pp. 68-69.

for political control over federal pay increases once again.¹⁶

The AFGE, the largest public union of federal employees, vehemently opposed the proposed delay. The union began to organize political support to defeat the Ford plan; however, they were at a serious disadvantage because of a time constraint. President Ford had initiated the delay request immediately after assuming office. Since there was little time to organize a serious lobby effort, the AFGE approached military personnel for assistance. The combination of federal employees and military personnel was enough to decisively defeat Ford's proposal.¹⁷

The alliance had worked well. Cost of living increases for federal employees (which includes the military) appeared secure. The victory, however, was short-lived. Six months later, President Ford in his State of the Union Address proposed that a ceiling be established on future federal pay raises. The fight for automatic cost of living pay increases appeared to be a permanent one and not a one-time skirmish. Consequently, the AFGE deemed it advisable, in light of the turn of events, to cement the

¹⁶Major Ronald R. Pruden and Major Robert A. Reilly, Toward Blue Locals (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 47, citing testimony by Clyde M. Webber, President, AFGE ("Organizing the Military Services into a Union"), delivered before the Defense Manpower Commission, August 18, 1975, pp. 6-7.

¹⁷Ibid.

temporary alliance between itself and the military.¹⁸

The subsequent decision by the AFGE to unionize the military had its beginning in the pay comparability fight.

Could a Military Union
Adequately Represent
Servicemen?

The pay comparability conflict convinced many servicemen that they needed an ally to help them in their struggle to prevent further erosion of their military benefits. This need for assistance prompted a large number of military personnel to reassess their present situation and ask themselves the question: Could a military union be a valuable ally and provide the representation that they needed?

Apparently, the answer is yes. An overwhelming number of both the officers (81%) and enlisted personnel (82%) believe that a union would be effective in representing their interests (Table 1).

Education level appears to have little effect on the responses to this question until the serviceman attains a Master's degree or higher. At that point, the affirmative response to the question rises from an average of 80% to 100%.

According to the respondents, rank plays no appreciable factor in the answer to the question.

¹⁸Pruden and Reilly, p. 47, citing Webber, pp. 6-7.

Table 1

7. Could a Military Union Bargain More Effectively than an Individual?

Yes No

By Rank				Years of Military Service				By Education Level																			
Rank	Yes	%	RS	Years	Yes	%	RS	Years	Yes	%	RS																
E-1	108	81	134	00	174	79	220	12	151	81	187																
E-2	29	85	34	01	83	88	94	13	48	77	62																
E-3	30	86	35	02	22	76	29	14	67	79	85																
E-4	23	82	28	03	31	82	38	15	26	87	30																
E-5	8	89	9	04	50	82	61	16	264	80	329																
E-6	56	88	64	05	36	80	45	17	16	80	20																
E-7	44	73	60	06	45	92	49	18	79	90	88																
E-8	5	71	7	07	46	85	54	19	6	100	6																
E-9	2	100	2	08	31	79	39	Total	657	81	807																
Total	305	82	373	09	22	100	22	<table><tr><td></td><td>Yes</td><td>%</td><td>RS</td></tr><tr><td>All Enlisted</td><td>305</td><td>82</td><td>373</td></tr><tr><td>All Officers*</td><td>352</td><td>81</td><td>434</td></tr><tr><td colspan="4">*Includes warrant officers</td></tr></table>					Yes	%	RS	All Enlisted	305	82	373	All Officers*	352	81	434	*Includes warrant officers			
	Yes	%	RS																								
All Enlisted	305	82	373																								
All Officers*	352	81	434																								
*Includes warrant officers																											
W01	12	92	13	10	22	79	28																				
W02	1	50	2	11	10	67	15																				
W03	2	100	2	12	16	80	20																				
W04	0	-	1	13	10	83	12																				
Total	15	83	18	14	12	75	16																				
O-1	151	78	194	15	9	64	14																				
O-2	30	86	35	16	6	75	8																				
O-3	144	85	169	17	8	62	13																				
O-4	9	64	14	18	7	70	10																				
O-5	2	67	3	19	5	100	5																				
O-6	1	100	1	20	2	40	5																				
Total	337	81	416	22	3	100	3																				
				23	2	100	2																				
				24	3	100	3																				
				25	1	100	1																				
				27	1	100	1																				
				Total	657	81	807																				

Overall there is no single determinant (rank, years of service, or education level) that influences the answer to this question. The respondents seem to agree (81%) that a military union could represent servicemen in a highly effective manner.

The survey responses reinforce what was learned in 1974 with the pay comparability fight. Only through collective action can the serviceman be adequately represented.

The National Guard Is
Already Unionized

The successful alliance between the servicemen and the AFGE during the pay comparability conflict started many military personnel to actively consider the merits of permanent union representation. This was the first time active-duty servicemen had seriously considered union membership.

Union representation was far from being a new issue, however, with the over half a million Reservists and Guardsmen--many of whom already belonged to a union. Unlike active-duty servicemen, the Guardsmen and Reservists had been granted the right to organize.

In the interest of efficiency, dual positions were created in Army National Guard and Army Reserve units for individuals who have unique talents. These specialists are called technicians. They work as civilians during the week

filling a technician's role. During monthly weekend drills they are in uniform. Because they are a part of both worlds, military and civilian, they can provide the same administrative and technical expertise to both, thus insuring a continuity of military doctrine.¹⁹

Before 1969 the technicians were employees of the state, but they were paid from federal coffers. Because of their status as state employees, they could not be included in the federal retirement plan even though the states did not pay them anything. This confusion resulted in no retirement plan or any fringe benefits for the technicians. Congress corrected this oversight by declaring the technicians to be federal employees.²⁰

As federal employees the technicians could organize. By 1975 70 percent of the Army National Guard technicians and an estimated 50 percent to 60 percent of the Army Reserve technicians belonged to unions.²¹

The technicians form the key administrative leadership and fill the important technical duties of most Guard and Reserve units. Because they are basically civilians, except for a monthly weekend drill, they would be expected to follow the lead of other federal employees and organize.

¹⁹ Lieutenant Colonel Charles M. Folluo, The Military Union Threat to the US Army (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 14.

²⁰ Beatty, p. 2.

²¹ Folluo, pp. 14-15.

The technician's dual status of being both a serviceman and a civilian and their declaration as federal employees, has established a union foothold in the armed forces. The importance of this foothold should not be underestimated. The National Guard and Army Reserve "constitute 40% of the Army's total force."²²

WHAT ABOUT THE PAY?

You Will Pay for This!

Is a military union given encouragement by not paying servicemen an adequate salary? A special Pentagon report delivered to Congress in January of 1978 by the Secretary of Defense answers this question.

The study analyzed public safety employees, as they offered the best comparison to the military because of their quasi-military duties.

The Pentagon study reports: "Conditions that led to the formation of police and firemen's unions in recent years are present in the services [emphasis added]."²³ The report continued by stating that these conditions are:

1. Income did not keep pace with the cost of living.
2. Benefits that were comparatively generous became average as benefits for other employee groups increased.

²²Folluo, p. 15.

²³Randall Shoemaker, "Services Ripe for Unionism," Army Times [Washington, D.C.], April 18, 1977, p. 1.

3. Changes in relative compensation levels were viewed as a loss of public status.²⁴

Are Servicemen Really
Being Shortchanged?

A report given to the president by the Federal Employee Pay Council confirms that military salaries are not keeping pace with the cost of living. "From October 1972 to May 1976 . . . private sector wages increased by 30.9 percent while . . . military pay increased by less than 16 percent."²⁵

What Do Servicemen Think?

A new enlistee in the Army (E-1) makes \$397.50 a month or less than \$4,800 a year (pay rates are illustrated on the following page). A newly commissioned officer (O-1) draws \$732.90 a month which amounts to less than \$8,800 a year.

What does the serviceman in the Army think about his salary? Does he think he is receiving a fair wage? According to the 807 servicemen in this survey, the answer was no.

The enlisted personnel (73%) and the officers (55%) answered no to survey question 15--Do you believe military personnel are paid comparable wages in relationship to

²⁴Shoemaker, p. 24.

²⁵Randy Shoemaker, "Unions Attack Raise Methods," Air Force Times [Washington, D.C.], August 30, 1976, p. 2, col. 1.

Table 2

15. Do You Believe Military Personnel Are
Paid Comparable Wages in Relationship to
Their Civilian Counterparts?

Yes No

By Rank				Years of Military Service				By Education Level			
Rank	No	%	RS	Years	No	%	RS	Years	No	%	RS
E-1	95	71	134	00	141	64	220	12	138	74	187
E-2	24	71	34	01	56	60	94	13	42	68	62
E-3	28	80	35	02	16	55	29	14	60	71	85
E-4	15	54	28	03	17	45	38	15	19	63	30
E-5	7	78	9	04	38	62	61	16	185	56	329
E-6	56	88	64	05	30	67	45	17	7	35	20
E-7	40	67	60	06	37	76	49	18	55	63	88
E-8	4	57	7	07	38	70	54	19	4	67	6
E-9	2	100	2	08	24	62	39	Total	510	63	807
Total	271	73	373	09	16	73	22				
W01	8	62	13	10	16	57	28				
W02	1	50	2	11	8	53	15				
W03	0	-	2	12	10	50	20				
W04	1	100	1	13	9	75	12				
Total	10	56	18	14	13	81	16				
O-1	97	50	194	15	9	64	14				
O-2	18	51	35	16	4	50	8				
O-3	104	62	169	17	9	69	13				
O-4	7	50	14	18	7	70	10				
O-5	2	67	3	19	3	60	5				
O-6	1	100	1	20	3	60	5				
Total	229	55	416	22	3	100	3				
				23	1	50	2				
				24	2	67	3				
				25	0	-	1				
				27	0	-	1				
				Total	510	63	807				

	No	%	RS
All Enlisted	271	73	373
All Officers*	239	55	434

*Includes warrant officers

their civilian counterparts (Table 2)?

The lower the respondent's rank, the more likely the serviceman was to believe that he was not being paid enough.

High school graduates and PhDs agreed that military pay left a lot to be desired. Those that fell between these two extremes were less likely to notice the discrepancy between civilian and military pay rates.

Servicemen with thirteen or more years of military service overwhelmingly believed they were not being paid enough.

Overall, the most significant information obtained from the survey was that a significantly larger number (73%) of the enlisted men thought that they were not receiving comparable pay in comparison to civilian wage rates. The officers (55%) did not feel as strongly that a discrepancy existed.

The reason for the divergence in attitudes can be traced to the difference in basic pay rates (Table 2). An officer begins his career at almost \$750 a month versus \$400 a month for an enlisted man.

The information from the survey shows that a majority of military personnel are unhappy about their pay. If servicemen believed that a military union could raise their pay, then support for a union would most likely come from those unhappiest about their pay--the enlisted man.

THE LINE FORMS TO THE REAR

Many people feel that the advent of an all volunteer Army, the demise of Congressional paternalism, the affiliation between military personnel and the AFGE over pay comparability, the high number of technicians who are union members, and the low pay has encouraged the formation of a military union. The only effective way to determine if this is true is to ask the servicemen.

Survey question one--Would you join a military union?, and question two--Is there a need for a military union?, elicited some interesting responses (Tables 3 and 4).

Normally it would be expected that a higher percentage of respondents would indicate that they perceived a need for a union, than would actually commit themselves to joining a union. This was not the case. The enlisted personnel responded overwhelmingly (54%) that they would join a military union; however, only 53% (1% less) felt there was a need for a union.

The officers showed less enthusiasm for a military union. Only 28% felt there was a need, while 22% indicated an interest in union membership.

The strongest support for a military union comes from the lowest ranking enlisted personnel, the E-1 or private, with 69% favoring union membership. The higher the serviceman's rank the less likely he is to exhibit

Table 3

1. Would You Join a Military Union?
Yes No

By Rank				Years of Military Service				By Education Level															
Rank	No	%	RS	Years	No	%	RS	Years	No	%	RS												
E-1	41	31	134	00	125	57	220	12	84	45	187												
E-2	13	38	34	01	45	48	94	13	33	53	62												
E-3	23	66	35	02	18	62	29	14	44	52	85												
E-4	14	50	28	03	26	68	38	15	19	63	30												
E-5	3	33	9	04	44	72	61	16	250	76	329												
E-6	38	60	64	05	26	58	45	17	16	80	20												
E-7	34	57	60	06	30	61	49	18	62	70	88												
E-8	6	86	7	07	42	78	54	19	4	67	6												
E-9	1	50	2	08	30	77	39	Total	512	63	807												
Total	173	46	373	09	17	77	22	<table><tr><td></td><td>No</td><td>%</td></tr><tr><td>All Enlisted</td><td>173</td><td>46</td></tr><tr><td>All Officers*</td><td>339</td><td>78</td></tr><tr><td colspan="3">*Includes warrant officers</td></tr></table>					No	%	All Enlisted	173	46	All Officers*	339	78	*Includes warrant officers		
	No	%																					
All Enlisted	173	46																					
All Officers*	339	78																					
*Includes warrant officers																							
W01	10	77	13	10	19	68	28																
W02	2	100	2	11	10	67	15																
W03	2	100	2	12	16	80	20																
W04	1	100	1	13	7	58	12																
Total	15	83	18	14	10	63	16																
O-1	150	77	194	15	10	71	14																
O-2	28	80	35	16	6	75	8																
O-3	129	76	169	17	7	54	13																
O-4	13	93	14	18	6	60	10																
O-5	3	100	3	19	5	100	5																
O-6	1	100	1	20	4	80	5																
Total	324	78	416	22	3	100	3																
				23	1	50	2																
				24	3	100	3																
				25	1	100	1																
				27	1	100	1																
				Total	512	63	807																

Table 4

2. Is There a Need for a Military Union?
Yes No

By Rank				Years of Military Service				By Education Level			
Rank	No	%	RS	Years	No	%	RS	Years	No	%	RS
E-1	58	43	134	00	130	59	220	12	90	48	187
E-2	12	35	34	01	50	53	94	13	30	48	62
E-3	18	51	35	02	16	55	29	14	47	55	85
E-4	13	46	28	03	21	55	38	15	15	50	30
E-5	3	33	9	04	41	67	61	16	231	70	329
E-6	34	53	64	05	21	47	45	17	16	80	20
E-7	31	52	60	06	27	55	49	18	55	63	88
E-8	6	86	7	07	36	67	54	19	4	67	6
E-9	1	50	2	08	28	72	39	Total	488	60	807
Total	176	47	373	09	12	55	22				
W01	7	54	13	10	21	75	28				
W02	2	100	2	11	10	67	15				
W03	2	100	2	12	16	80	20				
W04	1	100	1	13	6	50	12				
Total	12	67	18	14	8	50	16				
O-1	142	73	194	15	9	64	14				
O-2	25	71	35	16	6	75	8				
O-3	117	69	169	17	6	46	13				
O-4	13	93	14	18	7	70	10				
O-5	2	67	3	19	4	80	5				
O-6	1	100	1	20	4	80	5				
Total	300	72	416	22	3	100	3				
				23	1	50	2				
				24	3	100	3				
				25	1	100	1				
				27	1	100	1				
				Total	488	60	807				

	No	%	RS
All Enlisted	176	47	373
All Officers*	312	72	434

*Includes warrant officers

union sympathies.

The most reliable barometer of union support was the serviceman's level of education. The high school graduate strongly favored the establishment of a military union (55%), while the serviceman with a Master's degree displayed little support (20%). This response is not surprising. Few enlistees (privates) possess little more than a high school education, and it has already been indicated that the new enlistees are strongly pro-union. Officers on the other hand are required to have a college degree. Those officers in possession of a Master's degree or PhD are most likely field grade officers (major or above) and consider the Army their career. This would explain why the union sentiment drops as the serviceman acquires more education.

The survey results indicate that a majority of enlisted personnel perceive a need for a military union and would join one. The pro-union support is most heavily concentrated among the new enlistees and those with a high school education.

The survey also revealed that if a serviceman feels there is a need for a military union, then there is a great propensity that he would join a union. Interestingly, few respondents, outside the group that favored union membership, perceived a need for a military union.

Are we encouraging a military union with the advent

of a volunteer Army, the demise of Congressional paternalism, and the low pay? According to the survey results, the majority of enlisted men (53%) would say yes, while the majority of the officers (72%) would say no.

Chapter 4

EUROPEAN EXPERIENCE

Military unions are not a new phenomenon to Europe. Six European nations, West Germany, Sweden, Denmark, Norway, Austria, and the Netherlands have had military unions as part of their military environment for many years.

The European experience with military unions is as varied and diverse as the countries themselves. In Norway all military personnel belong to a union--it is the law. The right to strike, a controversial issue in the United States, has been resolved in Austria. Servicemen can strike. Denmark has a unique approach to insuring that all servicemen are represented by the union of their choice; they have fifty-two separate military unions. In West Germany it is the union and not the military that is responsible for public relations. Barbers are a vanishing breed in the Netherlands. Soldiers are not required to have a haircut.

Military unions in Europe are an established part of society. They evolved as a natural result of a desire on the part of the serviceman and society to democratize the often autocratic nature of the military. The military union is viewed by Europeans as a necessary partner in

achieving the defense goals common to all European nations.

FEDERAL REPUBLIC OF GERMANY

After the carnage and destruction of World War II, the allied powers came to the conclusion that Germany must be stripped of its armed forces, forever. To prevent future rearmament, the new constitution of the Federal Republic specifically prohibited the formation of any military forces.¹ The United States picked up the mantle for Germany's defense; however, with the advent of the cold war and the communist invasion of Korea, the West found the responsibility both unwieldy and unwise. Consequently, a compromise was struck.² West Germany was invited to join the North Atlantic Treaty Organization (NATO) and allowed to recruit a military force for her own defense. Germany once again had a military force.³

With the reintroduction of an active armed force in 1954, the people of Germany were determined not to repeat the mistakes of the past. The haunting memories of the war were still fresh in the minds of the German population.

¹Major Ronald V. Grabler, Military Unions: An Analysis of Unionization in Norway and Germany as It Relates to the United States (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1971), p. 20, citing Elmer Plischke, "West German Foreign and Defense Policy," Orbis, XII (Winter, 1969), 1100.

²Grabler, p. 20.

³Grabler, p. 20, citing Plischke, p. 1102.

They had not forgotten how the military had emerged as a "state within a state."

To insure that militarism did not rear its ugly head once again, the government decided to "civilianize" the military as much as possible. Consequently, the Germany Army or Bundeswehr is one of the few armies in the world that emphasizes the individuality of the soldier and not the widely accepted military doctrine of the "team approach." Even the population acknowledges this distinction by referring to their military personnel not as servicemen, but as "civilians in uniform."

The Bonn government further strengthened the civilian control over the military by allowing their "citizens in uniform" to enjoy the same basic rights as the general population. Unlike the United States, German servicemen can join military unions. Article 9 of Germany's Constitution guarantees that "all citizens [have] the right to form worker associations."⁴

OTV

The only union that represents military personnel is the largest of Germany's sixteen trade unions, the Public Service, Transport and Traffic Workers Union (OTV). Membership is limited to career officers and enlisted

⁴David Cortright and Boykin Reynolds, "Union in Germany: Many Setbacks," Air Force Times [Washington, D.C.], January 19, 1976, p. 30, col. 2.

personnel in the Bundeswehr. Only an estimated five thousand to seven thousand servicemen have been recruited by the OTV.⁵

Membership in the OTV has been severely restricted because of the hostility between the military and the trade unions which dates back to 1848 when "Army bayonets cut down . . . striking workers."⁶

The distrust between the Army and the trade unions is present even today. Career officers are actually discouraged from union membership. It is strongly held by many high ranking Bundeswehr (German) officers that "union membership was [is] not compatible with military discipline and obedience to commands [emphasis added]."⁷

The result: Out of an armed force that maintains a permanent strength of 495,000, only 1.5 percent claim union membership even though the German constitution has extended this right to the serviceman since 1954.

Is OTV Effective?

It is not surprising, with only a small fraction of the servicemen willing to join OTV, that the union has had

⁵Cortright and Reynolds, p. 30, cols. 2, 3.

⁶"I'm All Right, Hans," Time, November 18, 1966, pp. 40, 42.

⁷Phillip Shabecoff, "Bonn Union Leaders Hail Erhard's Rebuff to Generals," New York Times, August 26, 1966, p. 8, col. 5.

great difficulty in meeting its stated goal of representing the "social, economic, and professional interests of the serviceman."⁸

Lieutenant Colonel James Quinn, coauthor of a technical report entitled, The Advantages and Disadvantages of Unionization Within the Armed Forces, assessed the effectiveness of OTV in the following words:

. . . evidence indicates that the German military union has been unable to solve many of the problems and social ills that exist within the Bundeswehr today. . . . military unionization in Germany has a considerable distance to go before it can be considered . . . successful.⁹

Why is Germany's military union ineffective? The answer lies with the attitudes of the population--society fears the military and the military distrusts the unions.

THE NETHERLANDS

A Long History

Holland has had a long history with military unionism. It dates back to the early 1920's when a Royal Decree created a unique system of "institutional

⁸Grabler, p. 27, citing Heinz Kluncker, "Armed Might and Organized Labor," trans. J. W. Stock (a speech delivered at Mosbach/Baden, Germany, 1970). (Mimeographed paper received from the German Embassy.)

⁹Lieutenant Colonel James L. Quinn and Major Ronald V. Grabler, Military Unions: The Advantages and Disadvantages of Unionization Within the Armed Forces (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1971), p. 50.

consultation" for its military.¹⁰

Unlike collective bargaining, institutional consultation is based on a nonbinding formal procedure of consultation between the Minister of Defense and the military. Under the system, the armed forces routinely submit their opinions on proposed military legislation to the Minister before it goes to Parliament. The Minister, however, is not required to accept the advice of the military.¹¹

Has the system worked well? If the benefits that the Dutch soldier has received are an indication of success, then it certainly has. Dutch soldiers are no longer required to salute, and the prohibition against long hair and beards has been removed. No longer can enlisted personnel be reduced in rank for disciplinary reasons nor can servicemen be subjected to close detention for punishment. The Institutional Consultation system has also

¹⁰Major Ronald R. Pruden and Major Robert A. Reilly, Toward Blue Locals (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 82, citing testimony by Clyde M. Webber, President, AFGE ("Organizing the Military Services into a Union"), delivered before the Defense Manpower Commission, August 18, 1975, Chapter II, p. 3.

¹¹Major James E. Altwies, Why Would the Military Unionize? (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 53, citing Clyde M. Webber, President, AFGE (Subject: "Consultation and Collective Bargaining Within the Armed Forces of the Netherlands, Sweden, and the Federal Republic of Germany") memorandum to the AFGE National Executive Council, August 1, 1975, p. 3.

resulted in Dutch troops becoming "by far the best-paid Western European force."¹²

The Dutch Military Union

Despite the generous overtures by the government, the natives in Camelot became restless. In 1966 the Organization of Conscripted Soldiers (VVDM) was formed. Unlike the German military union, OTV, the VVDM was able to enlist the majority of the armed forces (70 percent).

The unusually large membership served as a mandate for the union. The VVDM was able to use this mandate to pressure the liberal government into granting more concessions for the military. As a result, Dutch soldiers receive overtime pay for any time worked in excess of forty hours a week. Servicemen also are no longer required to sleep in barracks or eat on post. They may do as they wish as long as they are present for the 8 a.m. morning formation.¹³

Has the Dutch Military Become the Problem Child of NATO?

The absence of the traditional "spit and polish" in the Dutch armed forces is disquieting to other NATO members.

¹²Pruden and Reilly, p. 87, citing "Netherlands General Frustrated by Unionized Military Conscripts," Montgomery Advertiser, Alabama Journal, November 9, 1975, p. 10A.

¹³Marilyn Dammerman, "Stop the Battle: It's Quitting Time," Forbes, November 1, 1977, p. 54.

The increasing trend toward relaxing military discipline has prompted the Netherland armed forces to be dubbed, "the problem children of the North Atlantic Treaty Organization (NATO)."¹⁴

Undoubtedly, the Dutch military forces have the most liberal union in the western world. The Netherlands unique system of institutional consultation and their aggressive military union, VVDM, has greatly contributed to an overall relaxation in military discipline. This change in attitude is not viewed with favor by many of the "old-timers." Colonel Donald Rhoads, chief spokesman for the Supreme Headquarters of the Allied Powers in Europe, says he is "disgusted by the long hair and beards he sees on Dutch . . . troops in NATO exercises."¹⁵

Despite their lack of discipline, Dutch troops perform well during NATO exercises and have even earned the praise of NATO Commander, General Alexander Haig.¹⁶ Nevertheless, critics still contend that one cannot have an effective military force when military discipline is relaxed.

SWEDEN

All sectors of Sweden's economy are highly

¹⁴Altwies, p. 57.

¹⁵Dammerman, p. 54.

¹⁶Don Hirst and Jim Tice, "Dutch Unions Pack Little Punch," Army Times (Washington, D.C.), February 21, 1977, p. 26, col. 1.

unionized. Over 90 percent of the blue-collar workers and almost three-fourths of the white-collar workers belong to unions. Public employees have enjoyed the benefits of collective bargaining since 1940. Unlike Germany or the Netherlands, civil servants in Sweden can strike.¹⁷

The Swedish government has initiated a unique approach to collective bargaining. All public employee wages (including the military) are tied to a 31-grade salary scale. The government meets annually with the national unions to negotiate changes in this multilevel pay scale.¹⁸

Swedish Military Unions

Unlike Germany and the Netherlands, which have one all-encompassing military union, Sweden has several. The officers, warrant officers, and noncommissioned officers all belong to separate military unions.¹⁹

Sweden has had a long and peaceful relationship with military unions. Because of the uniform pay scale,

¹⁷ Captain Joseph P. Mockaitis and Captain Donald E. Johnson, An Analysis of Military Unionization in Austria, Denmark, and Sweden (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1972), pp. 27-28, citing "Labor Relations in Sweden," Fact Sheets on Sweden (Stockholm: Södra Tr. AB., 1971), pp. 1-2.

¹⁸ Altwies, p. 50, citing Webber, no page indicated.

¹⁹ Mockaitis and Johnson, p. 32, citing "The Organization of the Trade Unions in Sweden" (Washington, D.C.: Royal Swedish Embassy, 1971), no page indicated. (Mimeographed.)

there is little discord between the civilian population and the military. The three military unions accept the limitation that they can negotiate only on the issues of pay and hours of work. The fifty thousand member Swedish armed forces and the population as a whole view the military unions as welcome partners in the defense of the country.

DENMARK

The Danes, like the Swedes, are citizens of a highly unionized society. Almost every Dane claims membership in at least one union.

Free medical care and liberal unemployment benefits have earned Denmark the socialist label and its citizens one of the highest tax rates in the world. Danes pay almost 65 percent of their income in taxes.²⁰

Observers are in general agreement that Denmark's long history with unions has given it an advantage that other European nations do not enjoy--stable, mature, labor-management relations.

Do the Danes Really Have Fifty-Two Separate Military Unions?

Do the Danes really have fifty-two military unions? Yes, they do. They have a different union for almost every

²⁰Lieutenant Colonel William Ivan Harris, A Survey and Analysis of Servicemen's Unions (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 37.

specialty. Even the different branches of the service (Army, Navy, and Air Force) have a separate union.

The Danish military's romance with military unions began over fifty-five years ago and has been going strong ever since. Membership in a military union is so routine that it is automatic unless the serviceman states otherwise. Even if a serviceman elects not to join a military union (unthinkable), he is still required to pay monthly dues.²¹

The military unions have been instrumental in persuading the government to pay the servicemen overtime and holiday pay. The government has also instituted, at the urging of the unions, a union dues check-off system.

Every two years the unions meet with the Minister of Finance to negotiate working conditions, pay, and overtime. Unlike Germany, Sweden, or the Netherlands, the Danish military unions may also bargain over grievance procedures and insurance plans.²²

The development of military unions in the 31,700 member Danish armed forces was a natural outgrowth of a

²¹Based on a statement by Henning Kristensen, Staff Sergeant, Royal Dutch Army (Security Guard, Royal Dutch Embassy, Washington, D.C.), in a personal interview on June 14, 1972 with Mockaitis and Johnson, An Analysis of Military Unionization, p. 44.

²²Colonel Jerome T. Hagen and Lieutenant Colonel Joe E. Johnson, A Unionized Military: Fact or Fiction? (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 45.

society that boasts almost 100 percent union participation. The population has come to regard unions, in whatever form, as a necessary part of life in Denmark. Consequently, a great amount of harmony and unity of purpose has evolved over the years between the unions and society.

NORWAY

Unlike Denmark, Norway is a relative newcomer in the area of unions. The first unions emerged at the turn of the century. Significant union growth did not occur until the Labor Party took power in 1935.

Norwegian Unionization

Norway is the only country, of the six European nations with military unions, that owes the existence of their union to a civilian. In 1946 the Minister of Defense awakened interest in a military union by sending a letter to the armed forces which encouraged the formation of "a common organization that can represent the common interests of officers towards DOD [Department of Defense] and government officials everywhere"²³

The invitation was accepted, and eleven years later

²³Major Ronald V. Grabler, Military Unions: An Analysis of Unionization in Norway and Germany as It Relates to the United States (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1971), p. 12, citing "B.F.O.'s History," Befalets Organisasjonsforhold, trans. Captain Asbjorn K. Stein (Oslo: Norsk Prent L.L., 1970), p. 16.

the Norwegian armed forces and the national police formed a union, Befalets Felles Organisasjon (BFO). BFO started off with a whimper instead of a loud bang. It was difficult if not almost impossible for the union organizers to convince servicemen that they needed representation.

In desperation the union turned to the government for help. The government responded with the passage of the Official Service Agreement Law which required all servicemen to join the union.²⁴ It is not too surprising today that Norway enjoys the highest rate of union membership of the six European nations with military unions.

BFO

BFO has accomplished what none of the other European military unions has been able to match--a limitation on overtime. No serviceman can work more than ten hours of overtime per week without union approval.²⁵ Working overtime has been a source of consternation to the serviceman for quite some time. With the elimination of this constant irritant, a greater respect for the union has developed.

The union has also been able to win valuable concessions from the government concerning improved housing for servicemen, retirement pay, and medical care for

²⁴ Grabler, p. 14.

²⁵ Quinn and Grabler, p. 12.

dependents. Despite these gains the credit cannot go entirely to the union. The Norwegian military union, to a greater extent than the other European military unions, owes its existence to the government. The original support for the union came not from the grassroots but from the Minister of Defense. The union has subsequently relied heavily upon the good will of the government for the benefits that the armed forces enjoy. If the government were to terminate its paternalistic attitude, the military forces of Norway would certainly suffer.

AUSTRIA

Austria is the only European nation with a military union that relies upon the draft to fill its military ranks. All Austrian males are required to serve for six months in the armed forces.

Even though Austria has an armed force with a permanent strength of 37,300, the country is neutral. The military was created in response to an attempted communist coup d'etat in 1950 and has remained on vigil ever since.²⁶

Austria has one military union that represents the armed forces. It is affiliated with the Government

²⁶Hagen and Johnson, p. 40.

Employees Union and was founded in 1967.²⁷ Union membership ranges from a low of 66 percent for the officers to a high of 75 percent for the enlisted ranks.²⁸

The Austrian government has granted the military a right that military unions in no other European nation enjoys--the right to strike. Thus far it has not been necessary for the armed forces to strike, however, many observers believe that the military would be unlikely to resort to such militant action because "military personnel do not consider the strike a legal right."²⁹

The Austrian military union is an accepted part of the military and works well in representing the social and economic interests of the serviceman.

SURVEY QUESTIONS 3 AND 10

A review of the European experience with military unions shows that no two unions are exactly alike. Each of the six European nations with military unions owes the distinctive characteristics of their union to the unique environment created by their respective customs, laws, heritage, and people.

²⁷Based on a statement by Alfred Nordberg, Captain, Austrian Army (Sales Officer, Austrian Embassy, Washington, D.C.), in a personal interview on June 16, 1972 with Mockaitis and Johnson, An Analysis of Military Unionization, p. 17.

²⁸Hagen and Johnson, pp. 41-42.

²⁹Ibid., p. 42.

If a military union were established in the United States, it would be expected to follow the example of its European counterparts and develop as a distinctive entity shaped by the sentiments of the American public.

But exactly what are the sentiments of the public or even for that matter the servicemen toward the establishment of a military union? Do they believe that such a basic right as union membership should be withheld from the officers, or do they advocate that the United States follow the lead of Norway and require all armed forces personnel to belong to a military union?

Should Officers Be
Excluded from a Union?

If a military union were in existence today, should officers be excluded from joining? The United States Defense Manpower Commission says yes. They advocate that ". . . all officers, commissioned and warrant, are part of the command and management hierarchy and are not [in their opinion] eligible for union membership."³⁰

The opinion of the manpower commission is not shared by the six European nations that have military unions. None of these nations prohibit officers from joining unions. Austria, Norway, West Germany, and the Netherlands have one union that represents both the

³⁰ Lee Ewing, "Leadership Pushed to Fight Unions," Army Times [Washington, D.C.], May 3, 1976, p. 8, col. 5.

officers and the enlisted personnel. Sweden has segregated their officers, warrant officers, and enlisted personnel into separate unions, while Denmark has created fifty-two separate unions to represent each of their military specialties.

What do the servicemen in the United States Army think? Do they believe officers should be excluded from union membership? In the survey 58% of the officers and 67% of the enlisted personnel indicated that officers should be allowed membership in a military union (Table 5).

The warrant officers (72%) felt strongest about being allowed to join unions. This was uncharacteristic of this group because they had consistently, on other questions, shown strong anti-union sentiments.

The servicemen's educational level did not play an appreciable role in his response. Respondents with a high school education (68%) agreed with those possessing a doctorate (67%) that officers should be entitled to union membership.

The consensus of the respondents is that officers should be allowed to join unions. The most significant information that the survey revealed was that a majority of the officers (58%) did not want to be excluded from exercising the option of union membership. This is surprising because in a previous question only a minority of the officers (22%) expressed a desire to join a military union.

Table 5

3. Should Officers Be Excluded from a Union?
Yes No

By Rank				Years of Military Service				By Education Level			
Rank	Yes	%	RS	Years	Yes	%	RS	Years	Yes	%	RS
E-1	49	37	134	00	90	41	220	12	60	32	187
E-2	8	24	34	01	34	36	94	13	20	32	62
E-3	10	29	35	02	9	31	29	14	33	39	85
E-4	10	36	28	03	14	37	38	15	6	20	30
E-5	2	22	9	04	23	38	61	16	141	43	329
E-6	20	32	64	05	10	22	45	17	9	45	20
E-7	17	28	60	06	12	24	49	18	34	39	88
E-8	6	86	7	07	26	48	54	19	2	33	6
E-9	1	50	2	08	19	49	39	Total	305	38	807
Total	123	33	373	09	10	45	22				
W01	3	23	13	10	8	29	28				
W02	1	50	2	11	6	40	15				
W03	1	50	2	12	7	35	20				
W04	0	-	1	13	4	33	12				
Total	5	28	18	14	5	32	16				
O-1	84	43	194	15	3	21	14				
O-2	17	49	35	16	3	38	8				
O-3	69	41	169	17	5	38	13				
O-4	4	29	14	18	6	60	10				
O-5	2	67	3	19	1	20	5				
O-6	1	100	1	20	4	80	5				
Total	177	43	416	22	2	67	3				
				23	2	100	2				
				24	1	33	3				
				25	0	-	1				
				27	1	100	1				
				Total	305	38	807				

	Yes	%	RS
All Enlisted	123	33	373
All Officers*	182	42	434

*Includes warrant officers

It appears that the officers want to insure their freedom of choice, even though they overwhelmingly reject the concept of unionism.

Should Membership in a
Military Union Be
Mandatory?

Should membership in a military union be mandatory? The Norwegian government thinks so. The Official Service Agreement Act requires all members of the armed forces to join the BFO, Norway's only military union.

In contrast, a majority of the respondents in the survey (Table 6) disagreed with Norway. An overwhelming number of the officers (88%) and enlisted personnel (81%) answered "no" to the question, "Should membership in a military union be mandatory?"

The officers showed slightly more resistance (7%) than the enlisted ranks to implementation of compulsory union membership.

As expected, the higher the serviceman's rank, the less likely he was to favor mandatory union membership.

There were no surprises in the respondents' answers except for an unexplainable deviation from the survey average by servicemen with a PhD. Half of them (50%) favored mandatory union membership versus the survey average of only 15%.

Table 6

10. Should Membership in a Military
Union Be Mandatory?
Yes No

By Rank				Years of Military Service				By Education Level			
Rank	No	%	RS	Years	No	%	RS	Years	No	%	RS
E-1	104	78	134	00	180	82	220	12	147	79	187
E-2	26	76	34	01	77	82	94	13	51	82	62
E-3	29	83	35	02	23	79	29	14	71	84	85
E-4	24	86	28	03	30	79	38	15	27	90	30
E-5	4	44	9	04	52	85	61	16	289	88	329
E-6	58	91	64	05	40	89	45	17	17	85	20
E-7	48	80	60	06	45	92	49	18	77	88	88
E-8	7	100	7	07	47	87	54	19	3	50	6
E-9	2	100	2	08	35	90	39	Total	682	85	807
Total	302	81	373	09	19	86	22				
W01	10	77	13	10	23	82	28				
W02	2	100	2	11	13	87	15				
W03	2	100	2	12	16	80	20				
W04	1	100	1	13	12	100	12				
Total	15	83	18	14	15	94	16				
O-1	168	87	194	15	10	71	14				
O-2	30	86	35	16	8	100	8				
O-3	152	90	169	17	10	77	13				
O-4	11	79	14	18	9	90	10				
O-5	3	100	3	19	3	60	5				
O-6	1	100	1	20	5	100	5				
Total	365	88	416	22	3	100	3				
				23	2	100	2				
				24	3	100	3				
				25	1	100	1				
				27	1	100	1				
				Total	682	85	807				

	No	%	RS
All Enlisted	302	81	373
All Officers*	380	88	434

*Includes warrant officers

DIFFERENCES BETWEEN EUROPE AND AMERICA

Significant differences exist between European unions and their counterparts in the United States. The dissimilarities in traditions, laws, customs, and environments are such that the European experience with military unions may be nonapplicable to the United States.

Union Tactics

In both the public and private sectors, European and American unions basically seek the same objectives. The glaring difference between the two is the methods which they employ to achieve these mutual goals.

Unions in the United States (i.e., United Mine-workers Union) have a greater tendency than European unions to use strikes and work slowdowns as bargaining tactics to persuade management to meet their demands. European unions in contrast have a greater propensity than their American counterparts to practice "peaceful coexistence" and "codetermination" in getting management to acquiesce to their demands. This results in a far greater amount of mutual cooperation and harmony between the unions and management than is normally experienced in the United States.³¹

³¹Quinn and Grabler, Advantages and Disadvantages of Unionization, p. 51.

Centralization--or
Decentralization?

In the United States, unions evolved into decentralized units that sought only to organize their respective industries.³² The theme of decentralization resulted in the creation of thousands of detailed work agreements and the establishment of hundreds of standards to deal with promotions, transfers, and layoffs. As a result it became difficult if not almost impossible for the courts to rule on the complicated contract languages which often conflicted with the equally complicated federal and state work agreements.³³

In Europe, unions evolved into highly centralized organizations. Negotiations were conducted at the national level which did not require a multitude of rules and regulations. Instead of the detailed work agreements of the United States, the European nations relied on broad general agreements which readily lent themselves to judicial interpretation. Thus collective bargaining took on a casual routine air, in contrast to the friction and disagreement that characterizes many negotiations in the

³²In comparison to the "national unions" of the six European nations with military unions, the United States is decentralized. The largest American union, the AFL-CIO, while large and representing several industries, does not approach in scope the highly centralized nature of the unions in Austria, Denmark, Norway, Sweden, West Germany, and the Netherlands.

³³Hagen and Johnson, A Unionized Military: Fact or Fiction?, pp. 3-4.

United States.³⁴

The reduction of conflict and confrontation coupled with the absence of a bewildering maze of complicated work agreements has encouraged the emergence of a partner for European armed forces--the military union. The highly unionized nations of West Germany, Sweden, Denmark, Norway, Austria, and the Netherlands have provided the necessary medium, in the form of social acceptance, that is necessary for the growth of military unions.

And Then There Is the
Matter of . . .

"The Danish forces' concept of fighting is to prepare for a holding action until allied assistance can come to their support."³⁵ West Germany, Sweden, Norway, Austria, and the Netherlands have similar military strategies. Their armed forces are designed to act as a defense to repel an armed invasion against their country. Thus any military battles that their military would be engaged in would be easily identifiable with their country's national security. Contrast this situation, where invasion is the only unknown variable, with that of the United States which must contend with many unknown variables.

Unlike the European nations, the armed forces of the United States are saddled with the responsibility of

³⁴Hagen and Johnson, pp. 3-5.

³⁵Ibid., p. 43.

defending not only their own continent but also those of their allies. Hundreds of thousands of American troops are stationed throughout the world to act as a deterrent against armed aggression.

In addition, the American military must also be prepared to engage in offensive military action beyond her own national borders in defense of causes that are not immediately identifiable with national security (i.e., Vietnam).

The necessity of maintaining divisions of troops ready for worldwide deployment on a moment's notice, in combination with a myriad of defense treaties and overseas military obligations, has resulted in the United States armed forces incurring a responsibility that the European nations do not have--global defense.

The responsibility of maintaining a global defense posture is the main obstacle to the establishment of a military union in the United States. The reason why this is so can be better understood if one looks at the European nations that have military unions. West Germany, Sweden, Denmark, Norway, Austria, and the Netherlands all have one common limitation on their military unions--"(a) prohibition of [military] union activity or interference during periods of national emergencies or war."³⁶ The United

³⁶Hagen and Johnson, p. 52.

States would almost certainly adopt the same limitation if it had a military union. The reason is obvious. During a war or national emergency the military must be able to react swiftly and unfettered by civilian institutions (hence the reason behind "martial law") in order to effectively meet whatever the challenge(s) might be.

Hereupon is where the obstacle lies. In the European nations the small standing armies would be used only in national defense. The United States in contrast, because of its global defense responsibility, frequently uses its armed forces to perform combat support operations for other nations. Vietnam was an example of such a combat exercise. No war was declared. No threat to national security was apparent. Yet, American servicemen were participants in an armed conflict under combat conditions. The deployment of troops for reasons other than national security or war gives rise to a myriad of problems for a potential military union. Would a limited military action such as Vietnam result in the curtailment of military union activity or would a state of war have to be declared before this restriction would occur? If the undeclared war in Vietnam or the police action in Korea was deemed as sufficient grounds for limiting the actions of a military union, would the union remain restricted for the length of the entire conflict even though it might drag on for years?

These are all questions that would have to be

answered if the United States had a military union because this country has a great propensity towards getting involved in military conflicts. Since 1945 the United States armed forces have been committed in defense of South Korea and South Vietnam. In 1976 there was strong sentiment in favor of providing support to Angola in the form of military equipment and war supplies which could have conceivably escalated into the deployment of American troops.³⁷

Because of the international commitments of the United States, it is highly likely that the military could become embroiled in another limited military conflict.

In view of the United States' worldwide defense obligations, it would be difficult to establish explicit limitations as to when union representation ceases. Even if it was decided that a military union could not interfere with combat missions, whether they be part of a police action or undeclared war, the determination on where to draw the line--as to what constitutes combat support and what does not--is a problem. Would the overtime maintenance on a helicopter which would be used to transport supplies or the overtime that a shipping clerk incurs in writing up reports in an understaffed military depot be considered

³⁷ Congressional critics feared that if the United States supplied financial and material support to Angola, military support might follow. Consequently, Congress refused military aid to Angola.

combat support?³⁸ No one knows. Rules and regulations would have to be drawn up and negotiations would have to take place between the prospective military union and the armed forces before an answer could be given to these questions. The only thing that is certain is that limiting a military union's influence over military operations is a very complex undertaking.

It is the enormity of this task that underscores the dissimilarities in traditions, laws, and customs between Europe and the United States. These differences are significant enough that the European experience with military unions is nonapplicable to the United States.

SURVEY QUESTION 16(d)

Do United States servicemen agree with the European nations in imposing restrictions on military unions during periods of war or national emergencies? Yes, they do and by an overwhelming number.

Question 16 on the survey was a multiple-choice question, "A military union should become involved with:" The respondents could mark as many of the responses as they chose. One of the five possible responses was "(d) exercising control over military members during war or national emergencies." Of the 807 servicemen polled, only seven

³⁸Quinn and Grabler, pp. 45-46.

(less than 1%) marked "d" as one of their responses. Thus 99% of the servicemen polled thought military unions should not exercise influence over military personnel during war or national emergencies.

Chapter 5

ADVANTAGES OF A MILITARY UNION

Dear Senator Helms:

I agree with you that the threat of Military Unions is a real danger to our country and our freedom.

I want to help you in your vital fight to stop union bosses in their attempts to force our Military servicemen into their labor unions.

As my share in this fight, I have enclosed my maximum contribution of¹

The preceding is an excerpt from a letter by United States Senator Jesse Helms (Republican, North Carolina) that was mailed to five million Americans.²

The letter is representative of the campaign that military union opponents are waging to win public support. This effort is not restricted to the public as statements criticizing attempts to organize the military are also common fare in service connected weekly newspapers (i.e., Army Times).

The debate over organizing the armed forces has reached a fever pitch in many military and political circles. Tempers flare and blood pressures rise at the mere

¹Letter from United States Senator Jesse Helms [n.d.], received by the writer, September 24, 1977.

²Andy Plattner, "Poll on Military Unions Draws Complaints," Army Times [Washington, D.C.], July 4, 1977, p. 17, col. 3.

mention of the word "military union," yet little publicity has been given to the possible advantages that a military union might provide; advantages that could greatly benefit the serviceman.

A Military Union Could
Provide Representation
for the Serviceman

One of the most important benefits that a union could provide is something that the serviceman is lacking--representation. A military union could provide several different types of representation for the serviceman. First, it could provide counsel in court martial and disciplinary hearings. Presently, Department of Defense regulations allow the accused serviceman the counsel of his choice, including civilian counsel.³ Most servicemen, however, elect to have a military lawyer from the Judge Advocate General's office appointed as counsel because they cannot afford to hire a civilian lawyer. A military union would pay for a civilian lawyer thus allowing the serviceman a greater latitude in the choice of counsel.

A military union could also represent servicemen by testifying before the numerous Congressional budget hearings for improved benefits and higher pay. At present, this

³Walter Mossberg and Richard Levine, "Union Plans '76 Drive to Represent Servicemen; Legalities Are Explored, and Pentagon Shudders," Wall Street Journal, June 27, 1975, p. 30, col. 1.

role is assumed by the Department of Defense which recently has been more concerned about the approval of new weapons systems (B-1 bomber, cruise missile, etc.) than the welfare and needs of the serviceman. This lack of representation was never more apparent than during the recent pay comparability controversy in which the Defense Department failed to lobby Congress for a long overdue cost of living adjustment for armed service personnel. If it had not been for the massive lobby campaign mounted by the American Federation of Government Employees (AFGE), the servicemen would not have gotten the pay increase. A military union would have provided that representation.

A Military Union Could
Help Restore the
Prestige of the Army

A military career. Once it held a position of respect and automatically bestowed on the serviceman a special sense of prestige in the eyes of society.

A serviceman enjoyed status among his peers; not the high status reserved for the socially prominent, but the kind of status that a soldier equated with inner pride which the military labels, "*esprit de corps*."

The conflict in Vietnam, high desertion rates, and the increasing drug abuse problem among military personnel changed all that. No longer was a military career viewed as a socially acceptable means of employment. The respect that society had reserved for the man in uniform was

replaced with a feeling of distrust and contempt.⁴

Today, the armed forces are suffering from an ailment that anyone in uniform is likely to contract--poor social status and low prestige. This problem is so acute that the Air Force Times, a weekly newspaper, reported in an editorial that many "NCOs and officers [are] frustrated by perceived losses of prestige and benefits."⁵

What does it matter if the armed forces suffer from low public opinion? Who really cares? According to Lieutenant Colonel James Quinn, one should care.

With the avowed desirability of attaining an all-volunteer force, occupational prestige is an absolutely essential prerequisite to attracting young men into the military services.⁶

The Army is well aware of the problems that are caused by a low public opinion of the military. It is spending an unprecedented thirty-three million dollars this year, alone, to uplift the public image associated with an Army career.⁷

⁴Lieutenant Colonel James L. Quinn and Major Ronald V. Grabler, Military Unions: The Advantages and Disadvantages of Unionization Within the Armed Forces (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1971), p. 30.

⁵Editorial, Air Force Times [Washington, D.C.], July 12, 1976, editorial page, col. 1.

⁶Quinn and Grabler, p. 30.

⁷Ted Gup, Washington Post, "Soldiers Accuse Army Recruiters of Promises, Promises, Promises," Sunday Mercury News [San Jose, Ca.], September 11, 1977, p. 37, col. 2.

A military union could help bring about a change in public opinion and thus lift the social status and prestige of a military career by mounting an effective public relations campaign and by educating the population about the military.

This is not as farfetched as it sounds. The Norwegian military union, Befalets Felles Organisasjon (BFO), has included as one of its stated goals the education of the population as to the mission of the armed forces.⁸ The German military union, the Public Service, Transport and Traffic Workers Union (OTV), has assumed the responsibility for public relations of the armed forces because it wants to raise the prestige of the military in hopes of attracting badly needed enlistees.⁹

A military union in the United States armed forces could prove a valuable ally in winning back the "special prestige" that society used to accord to the man in uniform.

A Military Union Could
Establish an Effective
Grievance Process

A serviceman with a grievance has three options in seeking redress under current Army doctrine. First, he can approach his supervisor and ask for a remedy. If the supervisor cannot resolve the problem or is unwilling to

⁸Quinn and Grabler, p. 11.

⁹Ibid., p. 30.

act upon the grievance, then the serviceman can do one of two things. He can petition the Inspector General for an official hearing, or he can write his Congressman for assistance. Sounds pretty simple does it not? Most servicemen think so until they try to get a complaint resolved.

The problems that servicemen run into when using the grievance process are numerous. Approaching a supervisor for help in remedying a grievance is effective as long as the supervisor is willing to act upon the grievance and the remedy is within his authority to grant. To whom, however, does the serviceman turn to for help if he has a complaint about the medical care that his dependents have been receiving at a military hospital, or if he feels that he was unjustly turned down for a long overdue promotion? The supervisor cannot help. Medical care and promotions are not in his area of responsibility.

There are two remaining options open to the serviceman for the disposition of his grievance. He can visit the Inspector General, or he can write a letter to his Congressman. Both of these actions cause considerable embarrassment to the serviceman's superiors because they arouse "official" inquiries at the highest levels.¹⁰

Writing a Congressman for help with a grievance,

¹⁰Quinn and Grabler, p. 34.

while not discouraged, is certainly not encouraged because any actions that a member of Congress takes cause reverberations throughout the chain of command. It is also ineffective for a member of Congress to deal with servicemen on a one-to-one basis.

Visiting the Inspector General to voice a complaint is also viewed with disfavor, because he is required by Army regulation to report grievances directly to the commander. Thus, relatively insignificant complaints which could have been handled at a much lower level come to the attention of the commander.

The Inspector General is also on the personal staff of the commanding officer which may create a conflict of interest. The independence and effectiveness of the Inspector General in investigating grievances may be compromised if the commander uses his authority to influence the disposition of grievances. One serviceman confirmed this fear by stating that "the military grievance system is like taking a family argument to your mother-in-law. You seldom get an unbiased answer."¹¹

Are soldiers who complain to the Inspector General labeled as troublemakers by their supervisors? Does the Army harass servicemen who write their Congressman? Can military personnel avail themselves of the grievance

¹¹"Unions Point to Congress," The Officer (September, 1977), 4.

process without fear that it will damage their careers?

Apparently there is much controversy over the answers to these questions. The Army contends that it does not retaliate against servicemen who voice grievances. The Chairman of the House Armed Services Military Personnel Subcommittee disagrees. Congressman Richard C. White (Democrat, Texas) reported that servicemen told him that "they cannot air their grievances without fear of reprisal."¹²

And what about servicemen who do file a grievance with the Inspector General and are dissatisfied with his ruling? According to the research compiled by Colonel Hagen and Lieutenant Colonel Johnson in their study, A Unionized Military: Fact or Fiction?, they found that "many career officers and enlisted men believe it is career suicide to formally object to arbitrary decisions by their commander or the IG [Inspector General] [emphasis added]."¹³

The absence of an unbiased arbitrator, and the possible retaliation against servicemen who avail themselves of the grievance process coupled with the limited ability of the supervisor to resolve grievances, and the

¹²Jay Finegan and Tom Philpott, "No 'Ground Swell' Seen for Union," Army Times [Washington, D.C.], August 15, 1977, p. 4, col. 2.

¹³Colonel Jerome T. Hagen and Lieutenant Colonel Joe E. Johnson, A Unionized Military: Fact or Fiction? (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 82.

lack of intermediary levels of appeal between the supervisor and the Inspector General has resulted in a grievance process that servicemen are dissatisfied with and would like to see replaced. The enlisted personnel (73%) and the officers (65%) in the survey thought that a military union should establish a grievance mechanism (Table 7).

Surprisingly, the greatest support for a union-administered grievance process was found, not among the new enlistees (72%), but rather among the career military personnel such as staff sergeants (80%), sergeant majors (100%), warrant officer one's (85%), and warrant officer three's (100%). This information is significant because it dispels the myth that only first termers are unhappy with the present Army grievance system.

According to the survey, a serviceman's level of education does not play a significant role in his response. Army personnel with a high school education (72%) were in close agreement with those possessing a doctorate (67%) that a military union should implement a grievance process.

Overall, the poll indicated that there is widespread discontent (69% of those surveyed) throughout the ranks with the present grievance process. It is apparent from the data that the respondents feel that the Army's grievance system is ineffective and should be supplanted by a grievance mechanism that will expeditiously and satisfactorily resolve grievances.

Table 7

14. Do You Believe a Military Union Should
Establish a Grievance Process
for Its Members?
Yes No

By Rank				Years of Military Service				By Education Level			
Rank	Yes	%	RS	Years	Yes	%	RS	Years	Yes	%	RS
E-1	97	72	134	00	162	74	220	12	134	72	187
E-2	26	76	34	01	74	79	94	13	45	73	62
E-3	27	77	35	02	20	69	29	14	64	75	85
E-4	20	71	28	03	22	58	38	15	22	73	30
E-5	7	78	9	04	37	61	61	16	215	65	329
E-6	51	80	64	05	31	69	45	17	13	65	20
E-7	38	63	60	06	33	67	49	18	57	65	88
E-8	3	43	7	07	34	63	54	19	4	67	6
E-9	2	100	2	08	23	59	39	Total	554	69	807
Total	271	73	373	09	17	77	22				
W01	11	85	13	10	23	82	28				
W02	1	50	2	11	9	60	15				
W03	2	100	2	12	10	50	20				
W04	0	-	1	13	7	58	12				
Total	14	78	18	14	11	69	16				
O-1	133	69	194	15	8	57	14				
O-2	25	71	35	16	7	88	8				
O-3	101	60	169	17	9	69	13				
O-4	8	57	14	18	7	70	10				
O-5	2	67	3	19	3	60	5				
O-6	0	-	1	20	1	20	5				
Total	269	65	416	22	1	33	3				
				23	2	100	2				
				24	2	67	3				
				25	0	-	1				
				27	1	100	1				
				Total	554	69	807				

	Yes	%	RS
All Enlisted	271	73	373
All Officers*	283	65	434

*Includes warrant officers

A military union could go a long way toward establishing a grievance process that would not only offer fair and impartial disposition of grievances but would also utilize one of the most effective aspects of the military--the chain of command. Under the present grievance process, only the extremes of the chain of command are used, the supervisor who is at the bottom of the military hierarchy (usually a sergeant) and the Inspector General who is near the top (usually a Lieutenant Colonel or Colonel).

A union representative could make full use of the military hierarchy by directing grievances to the appropriate authority. This would promote a more fair and impartial disposition of complaints because they could be more readily resolved at the local level without constantly involving the Inspector General whom many servicemen feel is a captive of the commander for whom he works.¹⁴

The Inspector General and commanding officer would also benefit from using union representatives to help resolve grievances. They would be freed from the constant deluge of complaints that could be handled more effectively at lower echelons.¹⁵

Finally, the servicemen would benefit from a union-administered grievance process because it would be the union's responsibility to insure that servicemen with a grievance had "an audience for their complaints and

¹⁴Quinn and Grabler, p. 34.

¹⁵Ibid.

remedies to their problems."¹⁶

An effective grievance process is only one of the possible advantages that a military union could provide for servicemen. It could also provide other advantages such as adequate representation before Congress and civilian counsel during court-martial proceedings. A union could also work toward the restoration of the Army's former prestige. In short, a military union could provide important benefits for servicemen--benefits they are now lacking.

¹⁶Quinn and Grabler, p. 32.

Chapter 6

DISADVANTAGES OF A MILITARY UNION

Until recently, the debate over military unionism was conducted in a low key manner. Opponents of a unionized military would often clothe their barbs of the union concept with eloquent statements such as those expressed by Congressman Dan Daniel (Democrat, Virginia). "We can have an army of the democratic but we can't have an effective democratic army."¹

Nobody really took the union concept seriously until September of 1976 when the American Federation of Government Employees (AFGE) shocked military and political leaders by voting to actively begin organizing the armed forces. Military union critics were caught off balance by the sudden turn of events, because little actual research had been conducted into the possible consequences that might be associated with a unionized military.

Most military and political leaders were in agreement that a military union would not be desirable, but they could point to little hard evidence to support their

¹Andy Plattner, "Hill Levels Guns at Unions," Air Force Times [Washington, D.C.], December 27, 1976, p. 4, col. 4.

beliefs. Many reacted, as did Senator Strom Thurmond (Republican, South Carolina), by simply condemning unionism. "A unionized armed forces would destroy military discipline and jeopardize the security of the country."²

The lack of any real discussion on the possible disadvantages of a military union has left many Americans wondering--are there any disadvantages associated with a unionized military?

THE ULTIMATE WEAPON--A STRIKE

Three Strikes and You Are Out!

One of the major reservations that many critics have about military unions is that they may go on strike in order to win concessions from the government. It is this fear that has caused much of the sentiment against a unionized military on Capitol Hill.

Congressional, as well as military leaders, are unanimous in their view that the military should not be allowed to strike. This opinion is shared by every government, save for one,³ and is supported by historical precedence that dates back to before the time of Alexander

²"Thurmond Sees Union Threat," Air Force Times [Washington, D.C.], December 27, 1976, p. 4, col. 2.

³The only nation in the world that has given their military personnel the right to strike is Austria. For additional comments, see Chapter 4, The European Experience with Military Unions.

the Great. Military tacticians then realized, as do military leaders today, that it would be counter to good discipline, which is the backbone of any successful military force, to give servicemen the opportunity or right to strike.

Recently, however, the military community in the United States has come to recognize that there may be an additional danger inherent in a unionized military besides the threat to discipline. If servicemen are given the opportunity to strike, which many military observers believe would occur if a military union were in existence today, and they exercise that option, then the nation's security could be jeopardized. This is a real threat according to Lieutenant Colonel James Quinn and Major Ronald Grabler, authors of the research report entitled, The Advantages and Disadvantages of Unionization Within the Armed Forces.

If the role of the military is to provide constant and continuing national security, the right for military union members to strike cannot be condoned. Strikes, or even boycotts, could not be allowed to take place on either a limited or an unlimited scale.⁴

Strikes and work slowdowns are an anathema to military good order because they replace order with

⁴ Lieutenant Colonel James L. Quinn and Major Ronald V. Grabler, Military Unions: The Advantages and Disadvantages of Unionization Within the Armed Forces (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1971), p. 43.

disorder and unity of command with chaos. A striking military force places a constraint on military activities which could adversely affect the successful completion of a military mission, whether it be national defense in peacetime or a close and destroy operation during wartime.

The disruption of essential military services, which would almost certainly accompany a strike, is a high price to pay for allowing servicemen to organize if an organized military makes strikes possible. The weight of historical precedence and the consensus of most military and political leaders is clearly against allowing the United States armed forces to strike.

In the event that a military union were established, national security dictates that it be prevented from striking. To insure that no illegal strikes take place, extraordinary controls in the form of no-strike laws would have to be initiated to restrict union activities.⁵

Is a "No-Strike" Law
Unenforceable?

What kind of law should be legislated to prohibit a military union from going on strike? Should military personnel who participate in illegal strikes be fined, jailed, or should they be dismissed from the armed forces with a dishonorable discharge?

Actually there is no need to legislate a new law

⁵Quinn and Grabler, p. 45.

to discourage a military union from going on strike. Since the 1950's, Public Law 84-330 has made it a felony for federal employees (i.e., United States armed forces personnel) to strike.⁶

With a no-strike law already in effect a military union should be effectively prevented from engaging in an illegal strike--right? Wrong, according to the conclusions drawn by Colonel Jerome Hagen and Lieutenant Colonel Joe Johnson in their research report, A Unionized Military: Fact or Fiction? They contend that a no-strike law is unenforceable. "The conclusion one must draw . . . is that Public Law 84-330 . . . is unenforceable when violated on a large scale and on an organized basis."⁷

Public Law 84-330 did not prevent the postal workers in 1970 from going on a nationwide strike, nor did it deter the federal air traffic controllers from engaging in a work slowdown that same year. The postal employees and air traffic controllers who were participants in the strike and work slowdown had committed a felony. Yet, no action was taken against them because, as Colonel Hagen and Lieutenant Colonel Johnson pointed out in their study, a union renders the no-strike law ineffective because of the

⁶Colonel Jerome T. Hagen and Lieutenant Colonel Joe E. Johnson, A Unionized Military: Fact or Fiction? (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 28.

⁷Ibid., pp. 32-33.

large number of individuals who violate the law.⁸

It comes down to the realization that if a union violates the no-strike law there is a good chance no legal action will be taken against the strikers. A union can give strikers something that an individual cannot--the protection of large numbers.

Is it possible that without an organized union there would be little defiance of Public Law 84-330? Lieutenant Colonel James Quinn and Major Ronald Grabler, authors of the research report, The Advantages and Disadvantages of Unionization Within the Armed Forces, think this is the case. They examined the nationwide postal strike of 1970 and came to the conclusion that "without an organized union, this blatant disregard of federal law [Public Law 84-330] may never have taken place."⁹

Many military and political leaders fear that a no-strike law would be unenforceable against a well organized military union. The precedence set by the postal workers and air traffic controllers has convinced the military community that the threat of a crippling strike by military personnel is too great of a possibility; thus, almost total resistance has developed in the upper echelons of the

⁸Hagen and Johnson, p. 32.

⁹Quinn and Grabler, p. 43.

military establishment against the union concept.

All Those in Favor . . .
Say Aye

What do the servicemen think about going on strike or engaging in a work slowdown? Do they feel that such tactics should be employed as bargaining tools by a military union?

According to the survey results, the majority of the privates and a large percentage of the corporals endorse the use of strikes. Table 8 indicates that 53% of the E-1's (new enlistees), 56% of the E-2's (privates), and 46% of the E-4's (corporals) advocate the use of strikes as a bargaining tool.

The survey data illustrate that pro-strike sentiment resides almost exclusively in the lower enlisted ranks and with those servicemen who have two or fewer years of military service. Servicemen with no prior service (new enlistees and newly commissioned second lieutenants) indicated a strong sentiment (34%) toward the use of strikes, while servicemen with one year of service registered an even greater approval with 46% favoring the use of strikes. The increase in strike sentiment (a 12% increase) can be attributed to the frustrations and vulnerability that a serviceman often feels after he has completed his first year of military service in the tightly regimented hierarchy of the Army.

Table 8

6. Strikes Can Be a Legitimate Means of
Collective Bargaining and Should Be
Permitted for Military Personnel
in Noncritical Jobs
Agree Disagree

By Rank				Years of Military Service				By Education Level			
Rank	Disa- gree	%	RS	Years	Disa- gree	%	RS	Years	Disa- gree	%	RS
E-1	63	47	134	00	146	66	220	12	106	57	187
E-2	15	44	34	01	51	54	94	13	37	60	62
E-3	27	77	35	02	20	69	29	14	65	76	85
E-4	15	54	28	03	30	79	38	15	20	67	30
E-5	7	78	9	04	50	82	61	16	281	85	329
E-6	48	75	64	05	35	78	45	17	18	90	20
E-7	46	77	60	06	39	80	49	18	74	84	88
E-8	6	86	7	07	47	87	54	19	4	67	6
E-9	2	100	2	08	37	95	39	Total	605	75	807
Total	229	61	373	09	18	82	22				
W01	13	100	13	10	24	86	28				
W02	2	100	2	11	13	87	15				
W03	2	100	2	12	18	90	20				
W04	1	100	1	13	12	100	12				
Total	18	100	18	14	13	81	16				
O-1	157	81	194	15	12	86	14				
O-2	32	91	35	16	7	88	8				
O-3	151	89	169	17	10	77	13				
O-4	14	100	14	18	7	70	10				
O-5	3	100	3	19	5	100	5				
O-6	1	100	1	20	3	60	5				
Total	358	86	416	22	3	100	3				
				23	2	100	2				
				24	2	67	3				
				25	0	-	1				
				27	1	100	1				
				Total	605	75	807				

	Disa- gree	%	RS
All Enlisted	229	61	373
All Officers*	376	87	434

*Includes warrant officers

After a serviceman celebrates his second year of military service, he has either resolved some of the frustrations and vulnerability he feels (i.e., through rank advancement) or has accepted them, because there is a marked decline in pro-strike sentiment among servicemen with two years of service (only 31%). The more seniority a serviceman earns, the less likely he is to favor the use of strikes by a military union. This is understandable because as a serviceman advances in rank (largely based on seniority) he assumes more of the responsibility for establishing and maintaining discipline. For a supervisor or senior serviceman to exhibit pro-strike sentiment would be anathema to the preservation of good military order--a goal which they are responsible for achieving.

The officers, as a group, reject the use of strikes by an overwhelming margin (87%). This is not surprising because as "management" it would have been a disturbing conflict of interest if they had joined with the lower enlisted ranks in support of the strike concept.

There was no significant difference (only 1%) between the respondents' attitudes toward the strike concept and their attitudes concerning a work slowdown (Table 9). The main support for a work slowdown was centered among the same military personnel who had endorsed the use of strikes--the lower ranking enlisted personnel and those servicemen with a brief tenure in the armed

Table 9

11. Should Military Unions Have the Power
to Call a "Work Slowdown" as a
Bargaining Tool?
Yes No

By Rank				Years of Military Service				By Education Level			
Rank	No	%	RS	Years	No	%	RS	Years	No	%	RS
E-1	70	52	134	00	151	69	220	12	120	64	187
E-2	18	53	34	01	61	65	94	13	43	69	62
E-3	28	80	35	02	21	72	29	14	66	78	85
E-4	15	54	28	03	28	74	38	15	20	67	30
E-5	8	89	9	04	51	84	61	16	270	82	329
E-6	50	78	64	05	34	76	45	17	17	85	20
E-7	50	83	60	06	38	78	49	18	72	82	88
E-8	7	100	7	07	42	78	54	19	4	67	6
E-9	2	100	2	08	35	90	39	Total	612	76	807
Total	248	66	373	09	15	68	22				
W01	12	92	13	10	25	89	28				
W02	2	100	2	11	14	93	15				
W03	2	100	2	12	15	75	20				
W04	1	100	1	13	11	92	12				
Total	17	94	18	14	13	81	16				
O-1	164	85	194	15	12	86	14				
O-2	28	80	35	16	8	44	8				
O-3	139	82	169	17	12	92	13				
O-4	12	86	14	18	8	80	10				
O-5	3	100	3	19	5	100	5				
O-6	1	100	1	20	4	80	5				
Total	347	83	416	22	3	100	3				
				23	2	100	2				
				24	2	67	3				
				25	1	100	1				
				27	1	100	1				
				Total	612	76	807				

	No	%	RS
All Enlisted	248	66	373
All Officers*	364	84	434

*Includes warrant officers

forces.

Do the survey data support the fears that many political and military leaders have that Army personnel would strike or engage in a work slowdown if a military union existed to direct their efforts? Yes and no. The survey data show that the majority of Army personnel are solidly against strikes or work slowdowns; however, the survey results do not dispel the notion that the military might strike if a union existed to direct the effort.

The survey data indicate that an unusually large percentage of the lower ranking enlisted personnel (over 50%) and more than one out of every three enlisted men (over 33%) are in favor of strikes and work slowdowns. This information is significant because if a strike action were to take place it would most likely begin with those servicemen who are the least paid, most overworked, and least represented--the lower ranking enlisted personnel.

Would an organized military strike? It is uncertain, but public employee unions are prohibited from striking, and they have gone on strike. With nearly 40% of the enlisted ranks already condoning strikes and work slowdowns, there exists the serious possibility that with the advent of an organized military, military commanders may have to deal with a new variable--that of strikes and work slowdowns.

WOULD THE MILITARY CEASE BEING AN
INSTRUMENT OF NATIONAL POLICY?

Would the military cease being an instrument of national policy if a military union existed? The answer to this question is of great significance because the concept of civilian supremacy over the military may be challenged if the advent of an organized military also heralds the transformation of the traditionally apolitical armed forces into a political organization.

Precedence for Civilian
Supremacy

The forefathers who wrote the Constitution had a great fear of the military. Unrestrained, it could usurp the democratic government that the colonists had worked so hard to achieve. The framers of the Constitution were determined that the destiny of the future nation should be guided by elected representatives of the people and not at the ends of Army muskets.

To insure that the armed forces remained subservient to civilian control, the colonists decided to make the military responsible to Congress and to the President. Consequently, the framers of the Constitution delegated to Congress the responsibility for approving military appropriations and, to the President, the role of Commander in Chief of the armed forces.

For over a century and a half, the Constitution

provided the checks and balances, insurance that one of the greatest fears of the colonial forefathers would not be realized--a military takeover of the government. The guidelines and rules layed down by the Constitution were deemed more than adequate in regulating the armed forces.

World War II changed that thinking. The introduction of nuclear weapons and the emergence of the Soviet Union as a military and political rival necessitated the maintenance of a large permanent Army. No longer were there any serious fears about the military usurping the elected government; 150 years of civilian supremacy had firmly established the doctrine of civilian dominance over the military. The new threat posed by the armed forces was created by the need for a large standing Army after World War II. This threat, according to General Sir John Winthrop Hackett, the famous British military historian, was economic dominance.¹⁰

Even if the usurpation of civil government by the military is no longer to be feared, the orientation of policies . . . which might be forced on the state by demands upon material resources and money and skilled industrial and technical, and other manpower, could place the military in a position of dominance in the state scarcely less decisive . . . than formal usurpation of powers of government.¹¹

¹⁰ Major Frederick M. Beatty, Military Unionization: A Challenge to Civilian Supremacy (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), pp. 15-16.

¹¹ Ibid., p. 16, citing General Sir John Winthrop Hackett, The Military in the Service of the State (U.S. Air Force Academy, Harmon Memorial Lectures in Military History, No. 13, 1970), pp. 8-9.

The new threat of economic dominance worried lawmakers. They could not look to the Constitution for guidance because the nation's colonial forefathers had not foreseen economic dominance as a potential problem; rather, the framers of the Constitution had concentrated their efforts on guarding against military dominance. After all, they could not have predicted that 150 years later events would dictate the maintenance of a large standing Army in peacetime, an idea which would have been abhorrent to the colonists and in direct conflict with the established policy of disbanding an Army upon victory to insure that it did not pose a future threat to freedom.

No, it was clear to the lawmakers. They would have to deal with the threat themselves.

Consequently, the lawmakers decided that the best method of heading off economic dominance by the military was to strengthen civilian control over the armed forces. This could only be accomplished by making sweeping changes in the organizational structure of the military.

The first of these changes began with the passage of the National Security Act of 1947. It placed the three services (Army, Navy, and Air Force) under the direction of civilian secretaries (i.e., Secretary of the Army), who in turn were responsible to a newly created official, the Secretary of Defense. The service chiefs (the highest ranking serviceman from each of the three services) who had

previously headed the separate services were relegated to an advisory role to the Secretary of Defense.¹²

The enactment of the National Security Act Amendment in 1949 further weakened the hold that the service chiefs had once exercised over their respective branches. The amendment provided for personnel to staff the Office of the Secretary of Defense and gave the Defense Secretary an undersecretary.¹³

Nine years later President Eisenhower signed into law the Defense Reorganization Act which gave the Secretary of Defense sweeping powers previously enjoyed only by the service chiefs. The Defense Secretary now had direct authority to issue military orders, and the service chiefs were directly responsible to him.¹⁴

In 1960 Congress further strengthened civilian control over the military with passage of an amendment to the Military Construction Act.

No funds may be appropriated after December 31, 1960 to or for the use of any armed force of the United States for the procurement of aircraft, missiles, or naval vessels unless the appropriation

¹²Beatty, p. 16, citing William R. Kinter, Forging a New Sword (New York: Harper and Brothers, 1958), p. 178.

¹³Beatty, p. 16, citing Major Charles J. Orrico, "An Analysis of the Concept of Civilian Control of the Military" (unpublished Air Command and Staff College research study, Air University, Maxwell Air Force Base, Alabama, 1966), p. 49.

¹⁴Beatty, p. 17.

of such funds has been authorized by legislation enacted after such date.¹⁵

The Military Construction Act Amendment was the final piece of legislation that was needed to prevent the armed forces from engaging in what General John Hackett referred to as "economic dominance."

The precedence established by the writers of the Constitution and the later passage of legislation by Congress has been aimed at establishing and strengthening civilian control over the military. The colonial forefathers were concerned with preventing military dominance, while the legislature has been concerned with preventing economic dominance.

It would now appear, after all of the activity to insure civilian supremacy, that civilian control over the military would be secure. Such is not the case. Even though the armed forces have been effectively prevented from exercising military or economic dominance, a new challenge to civilian supremacy may be surfacing with the advent of an organized military--political dominance.

Political Dominance?

Is it possible with the advent of a military union that the armed forces could exert considerable political

¹⁵ Beatty, p. 17, citing Major Allen L. Trott, Jr., "Civilian Control of the Military" (unpublished Air Command and Staff College research study, Air University, Maxwell Air Force Base, Alabama, 1966), p. 23.

influence and in the process cease being a reliable instrument of national policy?

According to Lieutenant Colonel Charles Folluo, author of the research report, The Military Union Threat to the US Army, the threat of a military union exercising political influence is no longer an academic question; it is a real possibility. "Any future large scale servicemen's union could be expected, over a period of years, to become politically partisan [emphasis added]." ¹⁶

A military union that gets involved in partisan politics--where is the danger?

The danger lies in the abandonment of the armed forces traditional nonpartisanship. The loss of the military's political neutrality could compromise the ability of the armed forces to continue effectively serving, as it has for the past two centuries, the dictates of the party in office.

The role of the armed forces, and a role it has discharged quite effectively in the past, is to carry out the policy decisions of the constitutionally elected government in Washington. It would be contrary to the fulfillment of this goal for the armed forces to become involved in partisan politics.

¹⁶ Lieutenant Colonel Charles M. Folluo, The Military Union Threat to the US Army (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 5.

For a military union to declare support for one party or another, to throw its power, money, and influence behind a particular political party or philosophy, would be the first step toward establishing a government controlled by the military.¹⁷

Once a military union becomes politically active, it commits itself and the armed forces to supporting certain policy objectives. What happens if these policy objectives are in conflict with the policy objectives of the President or Congress? Is it possible that a military union, which is supposed to represent an armed forces which is subordinate and subject to civilian control, might actually attempt to influence policy decisions made by the government?

Certainly not, would have been the reply of most laymen if they had been asked this question a few years ago. Most Americans, from the vantage point of 1978, however, would not be so quick nor so certain in their answer. Unions can and have in the past few years used their vast resources to influence policy decisions that affect their interests, as evidenced by the Longshoremen's success in nullifying a foreign policy decision with which they disagreed--the wheat sales to Russia in 1975.

The Longshoremen's union, a member of the AFL-CIO, was supported in its boycott of the wheat sales by George Meany. Mr. Meany is a strong critic of detente, and

¹⁷Quinn and Grabler, p. 46.

his views played a major role in forcing a showdown between the Longshoremen's union and the State Department.¹⁸

Mr. Meany is not hesitant in using the AFL-CIO as a forum for airing his displeasure with policy decisions he disagrees with as evidenced by his recent statement on foreign policy. "Foreign policy is too damn important to be left to the Secretary of State."¹⁹

What do George Meany's opinions and the Longshoremen's boycott have to do with whether or not a military union might attempt to influence policy it disagrees with? Quite a lot. The AFGE, the union most likely to organize the military (and the subject of Chapter 8), belongs to the AFL-CIO and as such falls under the sphere of influence of George Meany. The fact that the AFGE belongs to the AFL-CIO does not in itself prove that a military union instituted by the AFGE would at some later date be acquiescent to Mr. Meany's views about foreign policy and contest a policy decision it found disagreeable. Rather, the association shows that the potential for a future conflict of interest clearly exists and represents a disturbing omen for the future apolitical nature of the armed forces.

Mr. Meany's position is clear. He feels that the

¹⁸Beatty, p. 50.

¹⁹"Meany Says Bar to Loading Soviet Grain to Last Until U.S. Interests Are Protected," Wall Street Journal, August 19, 1975, p. 3, col. 3.

AFL-CIO should help shape national and foreign policy; however, what do the servicemen think? Do they believe that a military union can remain politically neutral and still adequately represent its members?

Apparently not. According to the survey, a large number of the enlisted personnel (46%) and an overwhelming number of the officers (63%) believe that a politically neutral military union cannot adequately represent its members. This information is surprising because it indicates that a nonpartisan military union, in the opinion of the respondents, would be ineffective (Table 10).

The survey also indicated that the higher the respondent's rank and the more education he possessed, the more likely he was to equate political partisanship with effectiveness. This would tend to indicate that the more time a serviceman spent in the Army, the more likely he was to come to the conclusion that political involvement is necessary to achieve results.

The servicemen think politics is necessary.

George Meany and the AFL-CIO think politics is necessary.

What is so bad about a military union engaging in politics?

Lieutenant Colonel Folluo best answered this question when he stated:

The main adverse thrust of the interjection of a soldier union into the military command structure is not the immediate threat of loss of unit command and control, but rather, the potential long-range implications of possible union influence into the military's ability to enforce the Commander in Chief's foreign

Table 10

13. Could a Military Union Remain Politically
Neutral and Still Represent Its Members?

Yes No

By Rank				Years of Military Service				By Education Level			
Rank	No	%	RS	Years	No	%	RS	Years	No	%	RS
E-1	48	36	134	00	101	46	220	12	80	43	187
E-2	16	47	34	01	46	49	94	13	30	48	62
E-3	14	40	35	02	18	62	29	14	48	56	85
E-4	17	61	28	03	25	66	38	15	18	60	30
E-5	4	44	9	04	36	59	61	16	201	61	329
E-6	38	59	64	05	23	51	45	17	13	65	20
E-7	29	48	60	06	27	55	49	18	50	57	88
E-8	5	71	7	07	35	65	54	19	6	100	6
E-9	1	50	2	08	25	64	39	Total	446	55	807
Total	172	46	373	09	15	68	22				
W01	7	54	13	10	17	61	28				
W02	2	100	2	11	11	73	15				
W03	0	-	2	12	12	60	20				
W04	1	100	1	13	8	67	12				
Total	10	56	18	14	9	56	16				
O-1	124	64	194	15	8	57	14				
O-2	21	60	35	16	5	63	8				
O-3	107	63	169	17	5	38	13				
O-4	10	71	14	18	6	60	10				
O-5	2	67	3	19	4	80	5				
O-6	0	-	1	20	3	60	5				
Total	264	63	416	22	2	67	3				
				23	0	-	2				
				24	3	100	3				
				25	1	100	1				
				27	1	100	1				
				Total	446	55	807				

	No	%	RS
All Enlisted	172	46	373
All Officers*	274	63	434

*Includes warrant officers

policy decisions that might be in opposition to the union's objectives [emphasis added].²⁰

LOSS OF EFFECTIVENESS AND DISCIPLINE?

Why Is Discipline Important?

Since the earliest times, military commanders have equated discipline with combat effectiveness. The long hours, poor food, extended absences from homes, and the often hostile working conditions that servicemen must contend with during war, has required military forces from the time of Alexander the Great to the present to maintain a high degree of discipline.

Experience has shown that the military force with the highest degree of discipline has been able to wage the most effective warfare. It is little wonder that such a great emphasis has been placed on achieving and maintaining discipline, sometimes at any cost as in the case of the ancient Assyrian Army which "dominated the civilized world from 3000 B.C. to 726 B.C. . . . Assyrian generals believed that all forms of physical torture, even death, were essential elements in maintaining a highly disciplined armed force."²¹

²⁰Folluo, p. 17.

²¹Major Ronald R. Pruden and Major Robert A. Reilly, Toward Blue Locals (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 89, citing Billy J. Helton, "Discipline--An Unsolved Problem" (unpublished research study, Air University, Maxwell Air Force Base, Alabama, 1972), p. 5.

Times have changed considerably since the Assyrian reign. No longer is torture an accepted means of preserving discipline. The threat of physical abuse has given way to economic and legal sanctions.

Despite the passage of over 2,000 years since the Assyrian dynasty, one thing has not changed--discipline is still of paramount importance to the military community.

The importance of military discipline was underscored in a report released by the House Armed Services Committee several years ago.

Discipline is the keystone of the armed services of any nation. If discipline collapses, a military force becomes a leaderless, uniformed mob, capable only of accomplishing its own destruction.²²

There is no doubt among military strategists that a prerequisite for an effective military is a well disciplined armed force. Considerable controversy, however, surrounds the issue of a military union. Military tacticians are divided over the question of whether a military union reduces the level of discipline in a military force. The answer to this question is of obvious importance, because a drop in the level of discipline also results in a commensurate drop in the combat effectiveness of a military force.

²²Pruden and Reilly, p. 93, citing Edward V. Von Gohren, "Discipline," Command and Management, Vol. 2 (Air University, Maxwell Air Force Base, Alabama, 1975), p. 116.

Does a Military Union
Reduce the Level of
Discipline in a
Military Force?

Does a military union reduce the level of discipline in a military force? The experts, the military strategists, are sharply divided over the answer to this question.

Lieutenant Colonel Quinn and Major Grabler, authors of the research study, The Advantages and Disadvantages of Unionization Within the Armed Forces, contend that "a strong [military] union could effectively aid a manager (i.e., an officer or senior NCO) in enforcing discipline among the members of the [military] union and the organization [Army] [emphasis added]." ²³

Quinn and Grabler believe that a military union could function in the same capacity as its counterparts in industry. That is, a military union would be responsible for establishing and enforcing a standard of conduct (discipline) among its membership, much as a union in the private sector does to satisfy contract obligations and industry expectations. Also a military union, unlike the present military associations (i.e., Association of the United States Army--AUSA), would be in a unique position, because of the active military support it would get, to demand and impose a standard of conduct among its

²³ Quinn and Grabler, p. 39.

membership.²⁴

On the other hand, Colonel Taylor, an associate professor at West Point and coauthor of the research study, Military Unionism and the Volunteer Military System, believes just the opposite. He contends that a union would disrupt military discipline.

Taylor argues that not all servicemen would join a military union,²⁵ which could create a division in loyalties between the union and non-union personnel. Also, military commanders would have to deal with not only the union, but also with union members in the chain of command (i.e., Inspector General). This would result in the union members being placed in a different relationship to the commander than the non-union personnel which would create havoc with the traditional commander-subordinate relationship.²⁶

What does this mean? What can it hurt if some

²⁴Quinn and Grabler, p. 40

²⁵A fact borne out by the survey (Table 3, p. 46). An overwhelming number of officers (78%) and a large percentage of the enlisted personnel (46%) responded negatively to the idea of union membership. From talking to some of the respondents after the survey, a large number indicated a strong conviction in their refusal to join a military union and open hostility toward any serviceman who would.

²⁶Lieutenant Colonel Peter B. Lane, Ezra S. Krendel, and Colonel William J. Taylor, Jr., Military Unionism and the Volunteer Military System (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1977), p. 32.

military personnel belong to a union and others do not? Are not union members supposed to get special consideration; after all, is not that what a military union is all about?

Perhaps, but the lack of majority support for a military union plus the inevitable division of loyalties that would surely arise from union personnel being placed outside the traditional commander-subordinate relationship could not benefit discipline. A military union could only harm military discipline, according to Colonel Taylor, by creating an environment which "would undercut *esprit de corps* a basic tenet of military good order and discipline."²⁷

Perhaps the best way to assess what effect an organized military would have on discipline is to look at what military strategists have to say about European nations that have military unions.

Quinn and Grabler reported that an analysis of European nations with military unions by the noted military strategist, Lieutenant Colonel Camealy, found "no evidence that a military union undermined discipline in either the Norwegian or German military forces."²⁸ Quinn and Grabler concluded that "it would appear that a military union, kept

²⁷ Lane, Krendel, and Taylor, p. 32.

²⁸ Quinn and Grabler, p. 40.

within reasonable bounds, would not necessarily interfere with military discipline and might, indeed, reinforce it [emphasis added]."²⁹

Sounds pretty conclusive does it not? However, widely acknowledged military tacticians, Major Ronald Pruden and Major Robert Reilly, coauthors of the research report, Toward Blue Locals, came to an entirely different conclusion. They found, after reviewing the European experience with military unions, that "the Dutch union did adversely affect discipline and the combat readiness of its military force [emphasis added]."³⁰

Consequently, the military tacticians cannot agree on whether a military union is beneficial or harmful to military discipline. On one hand the experts claim that a union would help maintain discipline by enforcing a standard of conduct, while on the other hand the experts contend that a union would do irreputable harm by causing a division of loyalties between union and non-union Army personnel.

The experts have had their say, and they are divided. What do the servicemen think? Do they believe that a military union would adversely affect military discipline?

According to the survey, an overwhelming number of

²⁹Quinn and Grabler, p. 40.

³⁰Pruden and Reilly, p. 109.

officers (77%) and almost half of the enlisted personnel (49%) believe that a military union would have a negative effect on discipline (Table 11).

The survey also indicated that the higher the respondent's rank the more likely he was to equate unionism with decreased discipline. This behavior is not surprising. As a serviceman rises in rank, he also assumes a greater share of the burden for enforcing discipline among the troops. It is only natural for the senior enlisted man or field grade officer (major or above) to view a military union as a potential threat to the maintenance of good military discipline because a union would encroach on one of his traditional areas of authority--the establishment and maintenance of discipline.

What of a union's effect on the effectiveness of the Army? Do the servicemen think that a unionized military would decrease the combat ability of the Army?

Of the enlisted personnel, 44% thought that a military union would decrease the effectiveness of the Army, while 42% thought it would increase effectiveness, and 14% thought there would be no effect (Table 12).

An overwhelming number of the officers (72%) thought that a military union would decrease the effectiveness of the Army, while only 17% thought it would increase effectiveness, and only a handful (8%) thought there would be no effect.

Table 11

5. Would a Military Union Have a Negative
Effect on Discipline?
Yes No

By Rank				Years of Military Service				By Education Level			
Rank	Yes	%	RS	Years	Yes	%	RS	Years	Yes	%	RS
E-1	54	40	134	00	126	57	220	12	92	49	187
E-2	16	47	34	01	52	55	94	13	33	53	62
E-3	18	51	35	02	17	59	29	14	48	56	85
E-4	9	32	28	03	24	63	38	15	17	57	30
E-5	3	33	9	04	46	75	61	16	244	74	329
E-6	40	63	64	05	26	58	45	17	15	75	20
E-7	34	57	60	06	28	57	49	18	63	72	88
E-8	6	86	7	07	41	76	54	19	4	67	6
E-9	2	100	2	08	30	77	39	Total	516	64	807
Total	182	49	373	09	17	77	22				
W01	10	77	13	10	19	68	28				
W02	2	100	2	11	11	73	15				
W03	1	50	2	12	16	80	20				
W04	1	100	1	13	9	75	12				
Total	14	78	18	14	10	63	16				
O-1	147	76	194	15	9	64	14				
O-2	29	83	35	16	6	75	8				
O-3	130	77	169	17	4	31	13				
O-4	10	71	14	18	8	80	10				
O-5	3	100	3	19	3	60	5				
O-6	1	100	1	20	4	80	5				
Total	320	77	416	22	3	100	3				
				23	2	100	2				
				24	3	100	3				
				25	1	100	1				
				27	1	100	1				
				Total	516	64	807				

	Yes	%	RS
All Enlisted	182	49	373
All Officers*	334	77	434

*Includes warrant officers

Table 12

4. What Effect Would a Military Union Have
on the Effectiveness of the Army?
(a) No Effect, (b) Effectiveness
Would be Decreased, (c) Effectiveness
Would Be Increased

By Rank							
Rank	A	%	B	%	C	%	RS
E-1	24	18	39	29	71	53	134
E-2	2	6	13	38	19	56	34
E-3	0	-	20	57	15	43	35
E-4	3	11	13	46	12	43	28
E-5	1	11	3	33	5	56	9
E-6	8	13	35	55	21	33	64
E-7	14	23	32	53	14	23	60
E-8	0	-	6	86	1	14	7
E-9	0	-	2	100	0	-	2
Total	52	14	163	44	158	42	373
WO1**	1	8	8	62	3	23	13
WO2	0	-	2	100	0	-	2
WO3	0	-	2	100	0	-	2
WO4	0	-	1	100	0	-	1
Total**	1	6	13	72	3	17	18
O-1**	12	6	136	70	40	21	194
O-2**	4	11	27	77	3	9	35
O-3**	18	11	122	72	28	17	169
O-4**	1	7	12	86	0	-	14
O-5	0	-	3	100	0	-	3
O-6	0	-	1	100	0	-	1
Total**	35	8	301	72	71	17	416
All Enlisted	52	14	163	44	158	42	
All Officers*	36	8	314	72	74	17	

*Includes warrant officers

**May not add up to 100% because
some respondents failed to answer this
question.

Table 12 (continued)

Years of Military Service								By Educational Level							
Years	A	B	C	D	E	F	RS	Years	A	B	C	D	E	F	RS
00**	19	9	114	52	84	38	220	12	27	14	73	39	87	47	187
01	11	12	44	47	39	41	94	13	10	16	29	47	23	37	62
02**	4	14	16	55	8	28	29	14**	10	12	49	58	25	29	85
03**	5	13	21	55	11	29	38	15	4	13	15	50	11	37	30
04	6	10	44	72	11	18	61	16**	57	17	199	60	67	20	329
05	6	13	23	51	16	36	45	17**	1	5	14	70	4	20	20
06	7	14	26	53	16	33	49	18**	13	15	13	15	60	68	88
07**	5	9	39	72	8	15	54	19	0	-	4	67	2	33	6
08**	5	13	25	64	7	18	39	Total**	122	15	396	49	279	35	807
09	2	9	15	68	5	23	22								
10	3	11	20	71	5	18	28								
11	1	7	9	60	5	33	15								
12	1	5	16	80	3	15	20								
13	1	8	8	67	3	25	12								
14	6	38	9	56	1	6	16								
15	2	14	10	71	2	14	14								
16	2	25	6	75	0	-	8								
17	4	31	5	38	4	31	13								
18**	1	10	6	60	2	20	10								
19	0	-	5	100	0	-	5								
20	0	-	4	80	1	20	5								
22	0	-	3	100	0	-	3								
23	0	-	2	100	0	-	2								
24	0	-	3	100	0	-	3								
25	0	-	1	100	0	-	1								
27	0	-	1	100	0	-	1								
Total*	91	11	475	59	231	29	807								

These responses compare very favorably with the previous answers to the question on discipline (Table 11). It would appear from these responses (77% versus 72% for the officers and 49% versus 44% for the enlisted personnel, a difference of only 5%) that the respondents do link discipline with the effectiveness of the Army.

From the survey results it becomes apparent that the vast majority of the respondents (64%) do feel that a military union would decrease the level of discipline in the Army. A majority (59%) also believe that the effectiveness of the Army would decline with the advent of unionism.

The survey results add credence to the contention that a military union would decrease the discipline level and cause a commensurate drop in the combat effectiveness of the Army.

Are there any disadvantages associated with a unionized military? Five years ago the answer would have been "maybe." Today, however, one can point to several--the threat of a strike, the cessation of the military as an instrument of national and foreign policy, and the real possibility of a reduction in the effectiveness of the Army.

Chapter 7

SURVEY RESULTS

LET THE PEOPLE SPEAK

Air Force Survey

Two Air Force Captains, Leonard Amerise and Wilfred Hoyt, with the assistance of the faculty at the Air Force Institute of Technology,¹ conducted a survey on union attitudes among Air Force personnel in 1976. The poll comprised 694 Air Force servicemen.² The results were published in a research report entitled, Unionization of the Military: An Attitude Survey.

The survey was not an official study; however, the extensive resources of the Air Force were used for its development, implementation, and analysis. Amerise and Hoyt were greatly aided in their research efforts by several key members of the faculty at the Air Force Institute of Technology who helped in the design of the

¹Located at Wright-Patterson Air Force Base in Ohio.

²Captain Leonard A. Amerise and Captain Wilfred F. Hoyt, Unionization of the Military: An Attitude Survey (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 20.

poll and in the analysis of its results.³

The 694 Air Force personnel surveyed were selected at random from lists of Air Force personnel maintained at the Air Force Human Resources Laboratory located at Lackland Air Force Base, Texas.⁴ Mass mailings (1,600 in total) were sent to the randomly selected Air Force personnel, and the results were tabulated on a computer.

Army Survey

The survey, an unofficial poll on union attitudes among Army personnel, was conducted without the aid or assistance of any other personnel, either Army or civilian. It was conducted during July and August of 1977 among the Army personnel stationed at Fort Benjamin Harrison, Indiana (Appendix C).

The 807 participants in the Army poll, like the Air Force survey, were picked at random. In contrast to the Air Force survey, however, the Army survey was personally administered to the participants.

Comparison

To provide a means of comparison between Air Force attitudes toward unionization and Army attitudes, questions from the Air Force survey were included on the Army survey.

³"30 Percent Would Join Union Now," Air Force Times [Washington, D.C.], February 21, 1977, p. 8, col. 1.

⁴Amerise and Hoyt, p. 19.

The first six questions on the survey (Appendix A) are identical to questions asked by Captains Amerise and Hoyt in their poll.

The Air Force survey as reported in the research study, Unionization of the Military: An Attitude Survey, did not provide a breakdown of the respondents' answers as to rank (other than the broad categories of "officer personnel" and "enlisted personnel"), years of military service, or educational level as does the Army survey. Consequently, any analysis of the survey results between the Air Force and Army personnel will have to be made on a straight officer/enlisted basis.

The Six Questions

The first question--Would you join a military union?--elicited different responses from the Army and Air Force personnel polled. The Air Force respondents were decidedly more pro-union than their counterparts in the Army. Of the Army officers surveyed, 78% rejected unionism versus 63% of the Air Force officers, a difference of 15% (Table 3, page 46). Almost half of the enlisted Army personnel (46%) reacted negatively to unionism, while only a third (33%) of the Air Force personnel reacted in a similar manner, a difference of 13%.⁵

The difference between the Air Force and Army

⁵ Amerise and Hoyt, p. 41.

responses (15% for officers and 13% for the enlisted personnel) remains fairly constant between the enlisted and officer ranks, which suggests that the Air Force would be more receptive to unionism than the Army.

The second question--Is there a need for a military union?--narrowed the gap between the Air Force and Army responses. Almost three-fourths of the Army officers polled (72%) perceived no need for a union (Table 4, page 47), while 63% of the Air Force officers concurred. Nearly half of the Army enlisted personnel (47%) perceived no need for a union, while 43% of the enlisted Air Force personnel concurred.⁶

Table 13, which is a breakdown of the respondents' answers to questions 1 and 2, reveals some interesting responses.

First, the Air Force officers who felt that there was a need for a union (37%) are exactly the same group that would seek union membership (37%). This is unusual because no respondents outside the group that favored union membership perceived a need for a union.

Secondly, more enlisted Air Force personnel (67%) would join a military union than perceived a need for one (57%), a difference of 10%. Normally, it would be expected that a higher percentage of respondents would indicate that

⁶Amerise and Hoyt, p. 41

Table 13

Breakdown of the Responses to
Questions 1 and 2

Air Force	
. . . <u>is</u> need for a union. Officers (yes) <u>37%</u>	Would join union. Officers (yes) <u>37%</u>
. . . <u>is</u> need for a union. Enlisted (yes) <u>57%</u>	Would join union. Enlisted (yes) <u>67%</u>
Army	
. . . <u>is</u> need for a union. Officers (yes) <u>28%</u>	Would join union. Officers (yes) <u>22%</u>
. . . <u>is</u> need for a union. Enlisted (yes) <u>53%</u>	Would join union. Enlisted (yes) <u>54%</u>

they thought there was a need for a union than would actually commit themselves to joining. Such is not the case with the Air Force personnel surveyed.

Although more Army enlisted personnel also indicated that they would join a union (54%) than thought there was a need for a union (53%), the difference (1%) is so insignificant that it can be attributed to a small segment of the respondents who misinterpreted the question.

A difference of 10%, however, as in the case of the Air Force enlisted personnel, is too large an amount to attribute to error. The discrepancy cannot be explained. Logically speaking, if a serviceman wanted to join a union, it would be assumed he felt union membership would serve a purpose (fulfill a need), but if that purpose or need is not perceived, what would motivate a serviceman (as in the case of the Air Force personnel) to seek union membership?

Overall, the difference between the Air Force responses and the Army responses on question 2 (9% for the officers and 4% for the enlisted personnel) narrowed considerably from the previous question on union membership (15% for the officers and 13% for the enlisted personnel). This would tend to indicate that the two services are much closer in agreement on the perceived need for a military union than they are on whether to commit themselves to union membership.

The third question--Should officers be excluded

from a union?--elicited no surprising results. The Air Force respondents followed the lead of the Army respondents in overwhelmingly extending union membership to the officer ranks.

Among the officer ranks, the Air Force personnel were the most receptive toward union membership with 65% indicating a preference for leaving the union membership option open for officers versus 58% of the Army officers (Table 5, page 67). A large number of the Army enlisted respondents (67%) agreed with their superiors, the officers, in extending union membership to management. Almost as many of the enlisted Air Force personnel as Air Force officers (62% and 65%, respectively) were in favor of union membership for officers.⁷

If one compares this question--Should officers be excluded from a union?--to question 1--Would you join a military union?--one finds some interesting responses from the officer ranks.

Only a minority of the Army officers (22%) would join a military union, yet a majority (58%) do not think union membership should be restricted to enlisted personnel. This behavior is repeated among the Air Force officers. Of the Air Force officers surveyed, 37% would join a union, yet almost double that number (65%) want union membership

⁷Amerise and Hoyt, p. 41.

open to officers.

Why the change of heart? The data suggest that the officers want to insure their freedom of choice, even though they overwhelmingly reject the concept of unionism.

The fourth question--What effect would a military union have on the effectiveness of the military?--had three response categories: (a) no effect, (b) effectiveness would be decreased, and (c) effectiveness would be increased.

Nearly three-fourths of the Army and Air Force officers (72% and 70%, respectively) were in agreement that a military union would decrease the effectiveness of the military. In contrast, 17% of the Army officers (Table 12, pages 119 and 120) thought effectiveness would increase, while 16% of the Air Force officers concurred. Only a handful of the Army⁸ and Air Force officers (8% and 14%, respectively) thought there would be no effect.⁹

Of the enlisted personnel, 44% of the Army and 41% of the Air Force were of the opinion that a unionized military would decrease the effectiveness of the armed forces. Over one-third of the Air Force enlisted personnel (34%) and 42% of the Army enlisted personnel were of the opposite opinion. One out of every four enlisted Air Force

⁸The Army officer responses do not add up to 100% because some respondents failed to answer this question.

⁹"30 Percent Would Join Union Now," p. 8, col. 4.

respondents (25%) thought there would be no change in the effectiveness of the military, while 14% of the Army enlisted respondents concurred.¹⁰

Overall, the Army and Air Force responses were very close in their opinions. This would tend to indicate that the possible effects from a military union are perceived the same by both services.

In the opinion of the officers, there is little question that unionism will result in a decline in effectiveness (72% for the Army and 70% for the Air Force). The enlisted personnel are not so sure. Less than half of the Army and Air Force respondents (44% for the Army and 41% for the Air Force) shared their superiors' convictions.

Question 5--Would a military union have a negative effect on discipline?--elicited no surprising responses.

The officers were pretty much in agreement with over three-fourths of the Army officers (77%) and 71% of the Air Force officers convinced that unionism would have

¹⁰Unlike questions 1 through 3 and 5 through 6, the Air Force survey results for question 4 were not included in the research report, Unionization of the Military: An Attitude Survey. Consequently, the writer sought a later article, "30 Percent Would Join Union Now," Air Force Times, p. 8, col. 4, to obtain these survey results.

The survey results published in the research report were based on a poll of 694 Air Force servicemen. The survey results published in the Air Force Times article were based on the original survey population plus an additional 242 servicemen. These additional servicemen may alter the survey results as reported by the research report by 2% to 3%. The effect is negligible but, nevertheless, warrants mentioning.

a detrimental effect on military discipline. Over half of the enlisted Air Force respondents (51%) and 49% of the enlisted Army respondents (Table 11, page 118) concurred with their superiors.¹¹

If one compares this question--Would a military union have a negative effect on discipline?--to question 4--What effect would a union have on the effectiveness of the military?--one finds that the data indicate that the respondents link the level of discipline with the effectiveness of the military.

Table 14 shows a breakdown of the responses to questions 4 and 5. From the survey results, it becomes apparent that the respondents are of the opinion that a unionized military would result in a decline in the level of discipline which would cause a commensurate drop in the effectiveness of the armed forces.

Question 6--Strikes can be a legitimate means of collective bargaining and should be permitted for military personnel in noncritical jobs--is the last of the six-question group that was asked of both the Air Force and Army respondents.

Almost nine out of every ten officers (87% of the Army respondents and 86% of the Air Force respondents) disagreed with the statement in question 6. Of the

¹¹Amerise and Hoyt, p. 28.

Table 14
Breakdown of the Responses to
Questions 4 and 5

In the event of a unionized military . . .	Air Force Officer (Agree)	Air Force Officer (Agree)	Air Force Officer (Agree)	Air Force Enlisted (Agree)	Air Force Enlisted (Agree)
. . . discipline would decline.	77%	71%	49%	51%	51%
. . . effectiveness would decline.	72%	70%	44%	41%	41%
Difference	5%	1%	5%	10%	10%

enlisted respondents, 70% of the Air Force and 61% of the Army (Table 8, page 97) also reacted negatively to the use of strikes as a tool to be used in collective bargaining.¹²

Overall, the responses to the six questions asked of both the Air Force and Army respondents show how similar the servicemen in the two branches think. There were few real differences of opinion between the two services except for the question on union membership; the Air Force respondents were decidedly more pro-union than their Army counterparts.

Both services were in close agreement that officers should be allowed to join unions. Interestingly enough, twice as many of the officer respondents indicated a preference for allowing officers the right to union membership than would actually commit themselves to joining. This would suggest that the officers want the option at some later date to be able to change their minds on union membership even though the overwhelming majority of them would not join a union today.

The vast majority of the Army and Air Force officers were convinced that discipline would decrease and effectiveness would drop with the advent of unionism. The enlisted ranks did not share their superiors' convictions because less than half of them concurred.

¹²Amerise and Hoyt, p. 42.

In the event a military union were established in the armed forces, the surprisingly strong sentiment recorded against the use of strikes in the survey could serve as a deterrent against strikes.

PUBLIC OPINION POLL

All of the data and survey results presented thus far have been based on the opinions of military personnel. No mention has been made of the public's reaction to a unionized military. Does it matter? Does the public really care if the armed forces become unionized?

In an effort to answer these questions, the Public Service Research Council conducted a public poll on military unionism in 1976. To obtain reactions to two questions, 1,529 individuals were surveyed. The questions were: "Do you favor or oppose members of the U.S. Armed Forces being organized into unions?" and "Do you believe members of the Armed Forces should be permitted to go on strike?"¹³

What Did the People Say?

In the public opinion poll, 82% of the respondents (Table 15) were opposed to unionization of the military. In contrast, 63% (78% of the officers and 46% of the enlisted personnel) of the Army respondents in the survey

¹³"Military Unions Opposed by 82%," Air Force Times [Washington, D.C.], June 21, 1976, p. 10, cols. 4-5.

Table 15

Results of Public Poll on Military Unions¹⁴

	Military Unionization		Military Strikes	
	Favor	Oppose	Permit	Not Permit
All Respondents	18%	82%	18%	82%
<u>Age</u>				
18-24 years old	33%	67%	33%	67%
25-24 years old	25%	75%	19%	81%
35-44 years old	16%	84%	19%	81%
45-54 years old	15%	86%	17%	83%
55-64 years old	11%	89%	13%	87%
65 years and older	13%	87%	11%	89%
<u>Education</u>				
Less than high school	22%	78%	19%	82%
High school graduate	18%	82%	18%	82%
Some college/vocational	14%	86%	16%	84%
College graduate	15%	85%	18%	82%
Postgraduate	20%	80%	15%	85%

¹⁴"Military Unions Opposed by 82%," Air Force Times [Washington, D.C.], June 21, 1976, p. 10, cols. 4-5.

(Table 3, page 46) were opposed to unionization.

Does this mean that the public is much more opposed to unionization than the military?

Yes and no. Yes, the public is more opposed to unionization than the military, but not by the margin (82% to 63%, a difference of 19%) the data would seem to indicate.

The public opinion survey results are misleading because they include three age groups in their survey population that were not in the Army survey population--the 45-54, 55-64, and 65 and over age groups. The inclusion of these age groups, which are markedly more opposed to unionization than the younger age groups, weighs the survey results more heavily into the anti-union column.

The Army survey population did not include servicemen from the 45 and older age groups¹⁴ simply because there are few individuals of this age group in the military. A serviceman can retire after twenty years of military service and draw a pension immediately. If a serviceman enters the Army as an enlisted man at age 18, he can retire at age 38. An officer entering at 22 would retire at 42. Consequently, most servicemen retire from the military

¹⁴Only six servicemen out of the 807 surveyed, or less than 1% of the respondents in the survey were 45 years of age or older. (These data come from the "years of military service" column found on all sixteen survey questions in which only six of the respondents indicated that they had twenty-three years of military service or more.)

before reaching their forty-fifth birthday.

Unquestionably, the public is more opposed to military unionization than the servicemen. The difference in opposition, however, would probably be closer to 12%-15%¹⁵ than the 19% indicated by the public opinion poll, if the effect that the 45 and over age group had on the survey results were discounted.

The public opinion poll and the Army survey, however, agree on several points. The first is that as a respondent becomes more educated he is less likely to approve of military unionism. In the public opinion poll over three-fourths (78%) of the respondents who had not attained a high school diploma were opposed to unionism versus 85% of the respondents who had a college degree. The difference in opinion was much more pronounced with the military personnel surveyed. Less than half (45%) of the Army personnel with a high school diploma were opposed to unionism versus over three-fourths (76%, a difference of 31%) of the Army officers who had a college degree.

¹⁵How was a range of 12%-15% determined? By eliminating the 45 and over age groups and averaging together the remaining three age groups, a 75% figure resulted. Subtracting from 75% the 63% figure in the survey resulted in a difference of 12%.

This process at best is inaccurate because without any knowledge of the number of respondents surveyed in each age group, no weighting can be assigned to the individual age groups which would be necessary to achieve a truly accurate figure. Nevertheless, the 12%-15% range provides a rough estimate.

The wide difference in opinions (7% for the public, 31% for the military) is not surprising. It would be expected that where self-interest is involved, as in the case of the Army respondents, the servicemen's opinions would be influenced by how they perceived a union as directly benefiting themselves.

It is only natural for the enlisted ranks, as labor, to favor unionism because it offers the promise of higher pay and better working conditions (see Chapter 5: Advantages of a Military Union). On the other hand, the officers,¹⁶ as management, view unionism as a threat to their authority and military discipline (see Chapter 6: Disadvantages of a Military Union).

The public, in contrast, having little or no "direct" self-interest in the military would be more inclined to be objective in their opinion of military unionism.

The public opinion poll and the survey also showed that the vast majority of the respondents, whether they be the public or Army personnel, are opposed to the concept of military unionism.

The second and final question on the public opinion

¹⁶ All officers must be college graduates. Enlisted personnel must be high school graduates. Thus the respondents in the survey who had high school diplomas were enlisted personnel; those with college degrees were officers.

poll dealt with the issue of strikes by military personnel. Of the public surveyed, 82% were against strikes by military personnel which compared favorably with the 75% recorded by the Army respondents (87% for the officers and 61% for the enlisted personnel, Table 8).

According to the survey data, the older the respondent the more likely he is to oppose military strikes. The 18-24 year old group in the public opinion poll went on record with 67% opposed to strikes, while more than eight out of every 10 (81%) of the 35-44 year old group concurred (a 14% difference).

In the Army survey those servicemen with no military service (comparable to the 18-24 year old group) responded with 66% opposed to strikes, while servicemen with fifteen to twenty years of military service (comparable to the 35-44 year old group) went on record with 80% opposed to military strikes (a 14% difference).

The closeness of the survey data would suggest that both the public and military personnel are against any possible disruptions of vital public services such as national defense which would almost certainly occur during a military strike.

An interesting aspect of the public opinion poll is that exactly the same percentage of the public (82% in both cases) was opposed to both military unionization and military strikes. There was also very little change in

opinions by the different age and educational groups as they responded to each question. This would tend to suggest that the 1,529 respondents in the public opinion survey may not have responded to each of the two questions of the survey on the basis of individual merit.

Chapter 8

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

What do the Teamster's union, the Longshoremen's union, and the AFL-CIO all have in common? They are all well known to the public. Few people can forget Jimmy Hoffa and the Teamsters, the Longshoremen and their boycott of the Russian grain sale, or the ever-present George Meany and the AFL-CIO.

The American Federation of Government Employees (AFGE) in contrast is not a household word, yet it is the union many military leaders believe would have the best chance of organizing the military.

The AFGE is one of the best managed, well-financed unions in the country; however, few people outside the federal civilian employees it represents have knowledge of the union's history or even know why the union is interested in organizing the armed forces.

History

The AFGE was created by the American Federation of Labor (AFL) in 1932 to compete with the maverick National Federation of Federal Employees (NFFE) which had seceded the year before. Like the NFFE, the AFGE was formed to

represent federal employees.¹

AFGE's early years were marked by great inner turmoil as its leadership vacillated between support of liberal and conservative causes. The turning point came when militants convinced the union leadership in 1934 to engage in picketing the National Recovery Administration to protest the dismissal of a union member from his job there. The protest was successful, and the union member was rehired; however, the union management felt their involvement in the picketing action was improper. This feeling also pervaded among the rank and file and subsequently led to the membership passing an amendment to the constitution two years later at the national convention.²

The American Federation of Government Employees is unequivocally opposed to and will not tolerate strikes, picketing, or other public acts against governmental authority which have the effect of embarrassing the government [emphasis added].³

The change in the union's constitution and its membership's disdain for strikes, picketing, or boycotts

¹Colonel Jerome T. Hagen and Lieutenant Colonel Joe E. Johnson, A Unionized Military: Fact or Fiction? (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 26.

²Major Ronald R. Pruden and Major Robert A. Reilly, Toward Blue Locals (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 43, citing Louis V. Imundo, Jr., "Why Government Employees Join Unions: A Study of AFGE Local 916" (unpublished Doctoral dissertation, University of Oklahoma, 1971), p. 137-38.

³Ibid., p. 43, citing p. 138.

resulted in the union being labeled as "conservative."

This image was further strengthened in 1939 when its President stated:

We cannot engage in collective bargaining as the process is commonly understood. We must achieve our most substantial gains through legislation rather than negotiation [emphasis added].⁴

In comparison to other unions at the time, which were earning a name for themselves through strikes and protests, the AFGE was regarded as being reasonable, cautious, and conservative by management.

Was such a strategy successful? Can a union refuse to engage in strikes, boycotts, picketing, or even collective bargaining and still attract a large following? If a membership approaching 350,000 is a measure of success, then it certainly has.⁵ Today, the AFGE is the largest union representing federal civil workers.

Unionization Decision

On September 23, 1976, the delegates to the national convention of the AFGE did something that was unprecedented in American history. They voted to change their union constitution to allow servicemen to join.⁶

⁴Pruden and Reilly, p. 44, citing Imundo, p. 140.

⁵Craig Colgate, Jr. and Mattie Ellen Gustafson, eds., National Trade and Professional Associations of the United States and Canada and Labor Unions (12th ed.; Washington, D.C.: Columbia Books, 1977), p. 43.

⁶"Union Votes to Take Military Members," Army Times [Washington, D.C.], October 4, 1976, p. 1.

Why would a conservative union like the AFGE want to do something as radical as organize the military? The answer, according to Colonel William Taylor, associate professor at the United States Military Academy, is summed up in two words--money and power.

The AFGE . . . sees in two million active duty military personnel a significant increment of AFGE power--union members who pay annual dues of approximately \$72 per person--with the potential of becoming the largest and strongest AFL-CIO union in America [emphasis added].⁷

The pursuit of money and power is not the only reason why the AFGE is interested in organizing the military. Close association is another consideration. The union already represents over one-third million civilians who are employed in the armed forces and often work side-by-side with military personnel. Of the federal civilian employees AFGE represents, 117,000 are employed by the Army, 74,000 are employed by the Navy, 136,000 by the Air Force, and 10,000 by the National Guard.⁸ Thus, the union would be in familiar territory in its efforts to recruit military personnel into its ranks.

Because of this close association, union officials

⁷ Lieutenant Colonel Peter B. Lane, Ezra S. Krendel, and Colonel William J. Taylor, Jr., Military Unionism and the Volunteer Military System (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1977), p. 31, citing "Military Unions? A Look at the Consequences," The Officer (December, 1975), 17.

⁸ Pruden and Reilly, pp. 47-48, citing "Unionizing the Services," The Times Magazine (September 24, 1974), 24.

feel it would naturally follow for them to represent the military coworkers of their union membership--the servicemen.

Finally, there was concern among AFGE officials that military personnel were reaping the benefits of union representation without paying for it. This was occurring because of the link between the military personnel pay scale and the federal civilian pay scale. Because of this link, whenever the union was successful in raising the pay of civilian federal employees, they were also bringing about a comparable increase in military personnel pay. Thus, military personnel were receiving the benefits of union representation without having to join or pay monthly dues to the AFGE.⁹

In an effort to rectify this situation, union leaders felt compelled to enroll military personnel as dues-paying members of the union.

The anticipation of twenty to thirty million dollars annually in additional dues from two million military personnel and the promise of the AFGE becoming the largest and most powerful AFL-CIO union, coupled with the fact that the union already counts among its membership over one-third million civilian federal employees who work

⁹Lane, Krendel, and Taylor, p. 18, citing Defense Manpower: The Keystone of National Security (report to the President and the Congress, Defense Manpower Commission, April, 1976), Ch. 8.

closely with military personnel, and the realization that the union already represents the military through their pay scale which is linked to the federal civilian pay scale, were the four incentives that persuaded the union leadership to announce in September of 1976 that they were going to admit military personnel as union members. And why not? The AFGE was the logical choice to organize the military. Its long history of conservatism and its membership's well known disdain for strikes, picketing, and boycotts would be more likely to allay the fears that military commanders associated with a unionized military than would the more militant liberal unions. And, it was not as if the AFGE was a newcomer to the military scene; its representation of 357,000 federal civilian employees working in the Army, Navy, and Air Force made it a familiar face in the halls of the military community.

Yet, it would take more than a friendly familiar face to persuade the military establishment that the armed forces needed union representation, as the AFGE found out in the political arena.

AFGE Versus the Political Arena

When the AFGE announced in September of 1976 that they were going to organize the military, they were not prepared for the violent reactions they received from the military community and political leaders.

The Association of the United States Army (AUSA), the lobby organization for the Army, commented in a position paper published two months after AFGE announced its intentions of unionization:

The whole [union] concept being bandied about, principally by the American Federation of Government Employees, is a cruel hoax and deception [emphasis added].¹⁰

Senator John Tower of Texas, quoted in a newsletter that was mailed to five million Americans,¹¹ stated:

AFGE (the American Federation of Government Employees union) is carefully laying plans to organize the Army, the Navy, the Air Force, and the Marine Corps. The long term implications of the union plan are horri-fying. . . [emphasis added].¹²

AUSA's declaration and Senator Tower's statement are samples of the verbal attacks that were leveled against the AFGE. The union leadership had not anticipated that the political and military communities would be so vehemently opposed to unionization of the armed forces. They had expected to garner support from at least the prolabor factions in Congress; instead, they were rebuked.

What had happened to the crucial political support

¹⁰ Military Unionism--A Hoax and Deception (Washington, D.C.: Association of the United States Army, AUSA Position Paper, December 30, 1976), p. 1.

¹¹ Andy Plattner, "Poll on Military Unions Draws Complaints," Army Times [Washington, D.C.], July 4, 1977, p. 17, col. 3.

¹² Newsletter from Americans Against Union Control of Government [n.d.], received by the writer September 24, 1977.

from sympathetic politicians that the industrial and craft union had been able to count on in the past? Had they deserted the AFGE?

Yes, they had deserted the AFGE. The union's quest to organize the military was not a routine labor initiative in which skillful lobbyists could play a decisive role.

There is a big difference between the past political support labor unions received and the AFGE expecting support to organize the military. Unlike past demands of labor, military unionism carried with it the threat of infringement upon an area of responsibility that the Constitution had exclusively reserved for Congress, that being the establishment of pay and benefits for servicemen which is inherent in the creation and support of an Army.¹³

For over two hundred years, Congress has provided for the housing, medical and health insurance, and wages for the serviceman. Consequently, a paternalistic relationship has developed between the legislature and the armed forces. Because of its interest in the serviceman's welfare and also out of a fear of encouraging future encroachment upon its authority, the legislature was overwhelmingly opposed to having an additional spokesman

¹³ Lieutenant Colonel Charles M. Folluo, The Military Union Threat to the US Army (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1975), p. 3.

represent the interests of the serviceman.¹⁴

An indication of the opposition in Congress to military unionism was recently demonstrated in a poll of the membership of one of the most prestigious committees in Congress. Army Times, a weekly newspaper, reported that ". . . a poll of the House and Senate Armed Services Committee members [whose responsibility it is to oversee the armed forces] showed[ed] almost total opposition to the military union concept [emphasis added]."¹⁵

Why should congressional opposition deter the AFGE from organizing the military? Did not the industrial and craft union also face stiff opposition from Congress in the past? Yes, they had; and, through the effective use of lobbyists and with the help of sympathetic politicians, they were often able to overcome opposition to their programs.

The AFGE, in contrast, has to contend not only with congressional opposition, but also with a legislature that believes a military union would be an infringement upon their authority to govern the armed forces. This is no

¹⁴Lieutenant Colonel James L. Quinn and Major Ronald V. Grabler, Military Unions: The Advantages and Disadvantages of Unionization Within the Armed Forces (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1971), p. 52.

¹⁵Andy Plattner, "Poll Rejects Military Unions," Army Times (Washington, D.C.), December 27, 1976, p. 4, col. 3.

insignificant matter according to Lieutenant Colonel Charles Folluo, author of the research report, The Military Union Threat to the US Army. "This infringement could threaten Labor's past rapport with Congress perhaps, even jeopardizing some of their past successes in the more industrial and craft area[s] [emphasis added]."¹⁶

Is the Lieutenant Colonel right? The chairman of the Postal Facilities, Mail and Labor Management Subcommittee, United States Representative Charles Wilson (Democrat, California) thinks so. He believes that "by unionizing the military, the AFGE (American Federation of Government Employees) is making a 'great mistake that could hurt them with other committees of Congress [emphasis added]."¹⁷

Congressman Wilson's testimony leaves little doubt that there would be significant casualties if a union exerted an all-out effort¹⁸ to enroll military personnel as union members. Not only would the AFGE become bloodied in the attempt, but labor's past advances would be put in jeopardy by an alienated Congress that would resent AFGE's

¹⁶Folluo, p. 3.

¹⁷"Wilson Says AFGE Making Mistake," Army Times [Washington, D.C.], December 27, 1976, p. 4, col. 4.

¹⁸To date, AFGE has not enrolled any military personnel as union members. The only action they have taken thus far occurred in September, 1976, when the union membership voted to amend their union constitution to allow military personnel to join the union.

infringement upon its constitutional authority (i.e., pay and benefits for servicemen).

In view of the new evidence that the legislature would be alienated by efforts to organize the military, is the AFGE making a mistake by clinging to its dream of a unionized military? The AFGE does not think so. The promise of becoming the largest and most powerful AFL-CIO union is too alluring to give up. On the other hand, Congress is adamant. The legislature will oppose military unionism because it carries with it the threat of infringement upon their authority. The two opposing parties are determined to pursue their conflicting paths.

Congress and the AFGE have made their positions known, yet no one has questioned the people who are at the center of this controversy--the servicemen. Do they want to be represented by the AFGE?

Is AFGE the Soldier's
Choice?

The AFGE has pursued the idea of organizing the military because it has assumed that military personnel wanted to be represented. According to the survey (question 2--Is there a need for a military union?--Table 4, page 47), a majority (60%) of the respondents felt there was a need for a military union. AFGE officials were correct in assuming that military personnel (a majority) wanted representation, but were they also correct in

assuming that the servicemen wanted to be represented by a civilian union (e.g., AFGE)?

The answer according to the survey results is no. Military personnel do not believe that a military union should be affiliated with a civilian union (Table 16). Over three-fourths of the enlisted personnel (78%) and more than eight out of every ten officers surveyed (83%) were opposed to a civilian union representing them.

The respondent's educational level, seniority, and rank played no appreciable role in shaping their opinions. All segments of the Army rank structure were fairly consistent in their attitudes toward excluding civilian influence from military unionism as evidenced by the closeness between the officer and enlisted responses (83% versus 78%, only a 5% difference).

This consistency was also evident in the responses to the second question--Who should form military union leadership? Once again the servicemen displayed their disdain for civilian affiliation. Eighty-three percent of the enlisted personnel surveyed and 79% of the officers were of the opinion that military personnel and not civilians should occupy leadership positions in a military union (Table 17).

The similarities in responses between the two questions strongly suggest that military personnel would overwhelmingly reject by a greater than four to one margin

Table 16

8. Should a Military Union be Affiliated
with Civilian Unions?
Yes No

By Rank				Years of Military Service				By Education Level			
Rank	No	%	RS	Years	No	%	RS	Years	No	%	RS
E-1	109	81	134	00	191	87	220	12	142	76	187
E-2	25	74	34	01	82	87	94	13	55	89	62
E-3	31	89	35	02	25	86	29	14	69	81	85
E-4	25	89	28	03	28	74	38	15	24	80	30
E-5	6	67	9	04	46	75	61	16	271	82	329
E-6	44	69	64	05	35	78	45	17	15	75	20
E-7	42	70	60	06	34	69	49	18	72	82	88
E-8	7	100	7	07	46	85	54	19	4	67	6
E-9	1	50	2	08	32	82	39	Total	652	81	807
Total	290	78	373	09	17	77	22				
W01	10	77	13	10	19	68	28				
W02	1	50	2	11	14	93	15				
W03	2	100	2	12	15	75	20				
W04	1	100	1	13	7	58	12				
Total	14	78	18	14	13	81	16				
O-1	174	90	194	15	11	79	14				
O-2	24	69	35	16	6	75	8				
O-3	137	81	169	17	9	69	13				
O-4	9	64	14	18	6	60	10				
O-5	3	100	3	19	4	80	5				
O-6	1	100	1	20	5	100	5				
Total	348	84	416	22	3	100	3				
				23	1	50	2				
				24	2	67	3				
				25	0	-	1				
				27	1	100	1				
				Total	652	81	807				

	No	%	RS
All Enlisted	290	78	373
All Officers*	362	83	434

*Includes warrant officers

Table 17

9. Who Should Form Military Union Leadership?
Civilians Military Personnel

By Rank				Years of Military Service				By Education Level			
Rank	Mil.	%	RS	Years	Mil.	%	RS	Years	Mil.	%	RS
E-1	116	87	134	00	176	80	220	12	155	83	187
E-2	28	82	34	01	85	90	94	13	56	90	62
E-3	26	74	35	02	24	83	29	14	75	88	85
E-4	21	75	28	03	26	58	38	15	22	73	30
E-5	8	89	9	04	48	79	61	16	252	77	329
E-6	49	77	64	05	34	76	45	17	16	80	20
E-7	53	88	60	06	41	84	49	18	69	78	88
E-8	6	86	7	07	44	81	54	19	6	100	6
E-9	2	100	2	08	30	77	39	Total	651	81	807
Total	309	83	373	09	18	82	22				
W01	11	85	13	10	26	93	28				
W02	1	50	2	11	12	80	15				
W03	2	100	2	12	11	55	20				
W04	1	100	1	13	9	75	12				
Total	15	83	18	14	15	94	16				
O-1	160	82	194	15	9	64	14				
O-2	26	74	35	16	8	100	8				
O-3	128	76	169	17	9	69	13				
O-4	10	71	14	18	8	80	10				
O-5	2	67	3	19	5	100	5				
O-6	1	100	1	20	4	80	5				
Total	327	79	416	22	3	100	3				
				23	2	100	2				
				24	3	100	3				
				25	1	100	1				
				27	0	-	1				
				Total	651	81	807				

	Mil.	%	RS
All Enlisted	309	83	373
All Officers*	342	79	434

*Includes warrant officers

(81% for both questions) any civilian union affiliation with a military union or civilian personnel in leadership positions in a military union. It appears from the survey data that servicemen want their own independent union, staffed and run by other servicemen.

Consequently, the AFGE will have to face not only a hostile Congress and the possible threat of jeopardizing past labor successes in their quest to enroll military personnel as union members, but also a hostile military that, according to the survey results, would oppose any civilian affiliation or influence in the establishment or running of a military union.

Chapter 9

THE FINALE OR IS IT?

The drama was drawing to a close. The actors had played their roles with conviction and fervor, and all that was remaining was the final scene--the confrontation.

The two major antagonists, the American Federation of Government Employees (AFGE) and Congress, were determined to do battle over the issue of military unionism. The union was resolved, despite considerable initial opposition from congressional and military leaders to organize the military. Congress on the other hand, felt compelled to thwart AFGE's quest to unionize the armed forces because it feared that a military union would infringe upon its authority over the military.

The union leadership was confident that through effective lobbying it could enlist enough political support on Capitol Hill to head off possible legislative attempts to block unionization of the military. AFGE's strategy took into careful consideration the potential actions of special interest groups, the military establishment, and even the President; however, they forgot to take into account the strong antimilitary union sentiments of one individual--Senator Stennis.

THE CONFRONTATION

Senator Stennis is one of the most influential politicians on Capitol Hill. As Chairman of the prestigious Senate Armed Services Committee, he wields considerable power over military appropriations. There is little concerning military affairs that escapes his attention or personal involvement.

When he heard that the membership of the AFGE had voted to organize the military, he reacted with surprise and anger. Charging that "a man cannot serve two masters" and that "there is no place for labor unions or similar organizations in our military units," he introduced into the Senate an antimilitary union bill.¹

The proposed legislation, Senate Bill 274, if enacted would prohibit military personnel from joining unions. In effect, a military union would be outlawed because servicemen would be legally barred from becoming members.

"Should" Congress Pass a
Law Prohibiting Military
Personnel from
Joining Unions?

The introduction of Senate Bill 274 raises several legal questions as well as a moral question--should

¹ Fred Reed, "New Stennis Bill Would Ban Military Unions," Air Force Times [Washington, D.C.], March 28, 1977, p. 1, cols. 1, 3.

Congress pass a law prohibiting military personnel from joining unions? According to the poll, those surveyed were divided over the answer to this question (Table 18). The legislature should not enact legislation barring servicemen from union membership was the opinion of 52% of the respondents, while an almost equal number (48%) disagreed.

The greatest support for a law banning union membership in the military was found among the officers, with 59% endorsing the passage of such a law. The enlisted ranks were more receptive toward military unionism. Only one out of every three enlisted respondents (35%) joined with their superiors, the officers, in endorsing the enactment of a law barring unions.

The most accurate means of determining a respondent's attitude toward the use of legal sanctions against unions could be found by looking at the educational level of the servicemen. Generally, the higher the serviceman's education the more likely he was to approve of a law banning military union membership. Of those with a high school education, only 35% favored such a law, while the respondents possessing a PhD were overwhelmingly in support of such a law (67%).

Why would the more educated servicemen favor legal sanctions? Mainly because the more educated servicemen

Table 18

12. Should Congress Pass a Law Prohibiting
Military Unions?
Yes No

By Rank				Years of Military Service				By Education Level			
Rank	No	%	RS	Years	No	%	RS	Years	No	%	RS
E-1	95	71	134	00	124	56	220	12	121	65	187
E-2	23	68	34	01	61	65	94	13	36	58	62
E-3	22	63	35	02	14	48	29	14	50	59	85
E-4	18	64	28	03	18	47	38	15	19	63	30
E-5	7	78	9	04	27	45	61	16	144	44	329
E-6	39	61	64	05	28	62	45	17	5	25	20
E-7	37	62	60	06	27	55	49	18	46	52	88
E-8	2	29	7	07	25	46	54	19	2	33	6
E-9	1	50	2	08	17	44	39	Total	423	52	807
Total	244	65	373	09	10	45	22				
W01	7	54	13	10	17	61	28				
W02	0	-	2	11	6	40	15				
W03	1	50	2	12	5	25	20				
W04	0	-	1	13	7	58	12				
Total	8	44	18	14	10	63	16				
O-1	87	45	194	15	6	43	14				
O-2	11	31	35	16	3	38	8				
O-3	69	41	169	17	9	69	13				
O-4	3	21	14	18	4	40	10				
O-5	1	33	3	19	2	40	5				
O-6	0	-	1	20	1	20	5				
Total	171	41	416	22	0	-	3				
				23	1	50	2				
				24	1	33	3				
				25	0	-	1				
				27	0	-	1				
				Total	423	52	807				

	No	%	RS
All Enlisted	244	65	373
All Officers*	179	41	434

*Includes warrant officers

are mostly officers² who as a group do not favor the establishment of a military union (78% of the officers surveyed would not join a union, Table 3, page 46) and would welcome any means, including legal, to prevent the armed forces from being organized.

Overall the 807 servicemen surveyed were almost evenly divided (52% versus 48%) over the issue of whether or not the legislature should enact a law prohibiting military personnel from becoming union members.

"Can" Congress Pass a Law
Prohibiting Military
Personnel from
Joining Unions?

Another question which arises when Senate Bill 274 is discussed is a legal one--Can Congress enact a law which would prohibit military personnel from joining unions even if its aimed only at military unions?

For the answer to this question, one must turn to the Supreme Court for guidance. The High Court has made several rulings which establish important precedence concerning the rights of public employees to join unions.

The first of these rulings involves the First Amendment. The Court held that this Amendment, which guarantees the right of free speech and press and also the right to assemble and petition, is the cornerstone of the

²In contrast to enlisted personnel who must have high school diplomas, all officers must possess a bachelor's degree.

democratic system of government.

For almost two centuries, our country has taken singular pride in the democratic ideals enshrined in its Constitution, and the most cherished of those ideals have found expression in the First Amendment [emphasis added].³

In addition, the High Court has also interpreted the First Amendment to include an additional right, the right to "freedom of association [emphasis added]." ⁴

In view of these rulings and the fact that the Supreme Court has expanded the protection of the First Amendment, would Congress be abridging a constitutional right of the servicemen, that is the right to freedom of association, if it enacted a law barring them from union membership? A 1967 ruling of the Supreme Court would suggest this.

In the case of the United States v. Robel, the Supreme Court ruled that Congress cannot enact legislation under its enumerated powers if those laws result in the deprivation of individual liberties or place an excessive burden on the freedom of association rights of American citizens.⁵

Judging from these rulings, it would appear that the legislature would have great difficulty in defending

³United States v. Robel, 389 U.S. 264 (1967).

⁴Ibid.

⁵United States v. Robel, 389 U.S. 258 (1967).

the enactment of a law prohibiting military personnel from joining military unions. There is little doubt that such a law, if enacted, would abridge the right to freedom of association for military personnel.

The question as to whether Congress can invoke legal sanctions against military unions, however, is not resolved. Another factor enters into the picture.

The military is governed by a unique set of laws called the Uniform Code of Military Justice which differ considerably from civilian laws. Historical and legal precedence has established that the civilian courts cannot intervene in military affairs and that the military judicial system has no authority over civilians.⁶ Consequently, both have developed into a separate set of laws administered by different authorities, the civilian system by the Supreme Court and the military by Congress and the President.

The sovereignty of the two systems is accepted and actually encouraged by the Supreme Court.

Military law . . . is a jurisprudence which exists separate and apart from the law which governs in our federal judicial establishment. This court has played no role in its development; we have exerted no supervisory power of the courts which enforce it; the rights of the men in the armed forces must be conditioned to meet certain overriding demands of discipline and duty, and the civil courts are not the agencies which must determine the precise balance to be struck in this

⁶Except in declaration of martial law.

adjustment. The Framers expressly entrusted that task to Congress [emphasis added].⁷

Consequently, the Supreme Court has refused to rule on cases affecting the military deferring instead to Congress those responsibilities. Does this mean then that Congress could outlaw military unions?

Colonel Taylor, Lieutenant Colonel Lane, and Professor Krendel, authors of the research study, Military Unionism and the Volunteer Military System, think so. They hold the opinion that "Congress probably has the constitutional authority to prohibit unions of active duty military personnel [emphasis added]."⁸

The General Counsel of the American Federation of Government Employees holds the opposite opinion.

Certainly, a statute, or executive regulation having statutory force, which prohibited all Armed Forces personnel from joining a labor union, would be a constitutionally defective enactment [emphasis added].⁹

Who is right? Who can say in the absence of a ruling by the Supreme Court. Thus far the highest

⁷Burns v. Wilson, 346 U.S. 140 (1953).

⁸Lieutenant Colonel Peter B. Lane, Ezra S. Krendel, and Colonel William J. Taylor, Jr., Military Unionism and the Volunteer Military System (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1977), p. 34.

⁹Major Ronald R. Pruden and Major Robert A. Reilly, Toward Blue Locals (Alexandria, Va.: U.S. Department of Defense, Defense Documentation Center, 1976), p. 32, citing testimony by Clyde M. Webber, President, AFGE ("Organizing the Military Services into a Union"), delivered before the Defense Manpower Commission, August 18, 1975, p. 2.

authority to offer their opinion as to the possible outcome of a court contest is the Secretary of Defense, Dr. Harold Brown. He holds the view that ". . . an outright ban on service membership in [military] unions would be constitutionally vulnerable in the inevitable court challenges [emphasis added]."¹⁰

AN OLD-FASHIONED FIGHT

It Is Time to Put the Gloves On

The Secretary of Defense's widely publicized comment that Senate Bill 274 would not stand up to court challenges was regarded as self-serving by Senators Stennis and Thurmond, the bill's sponsors. The Senators believed that the Secretary's remarks were politically motivated because Dr. Brown had issued a directive of his own a month previously which was aimed at achieving the same goal as their proposed legislation--containing military unionism.

The difference between the Stennis-Thurmond bill and the Department of Defense directive was in the method each dealt with handling the issue of union membership.

The Stennis initiative would prohibit all military personnel (including Reservists) from joining military unions. In contrast, Dr. Brown's directive allows servicemen to become union members; however, there are conditions

¹⁰ "Union Threat Still a Worry to Congress and the Services," Army (November, 1977), 9.

and restrictions attached to union membership which would serve to limit union activities through regulation. Thus, servicemen who became union members would be joining a military union incapable of engaging in strikes, collective bargaining, or work slowdowns.

How did the military community and Senate Bill 274's sponsors react to the Secretary's directive? Not too favorably. Senator Thurmond, unhappy that the directive only regulated military unions instead of barring them, thought it was ineffectual. He publicly called the directive a "weak-kneed position" in handling the problems of military unionism.¹¹

The military establishment was in agreement with Senator Thurmond. They were not willing to accept military unions in any form not even if they were heavily regulated. An outright prohibition on military union membership, such as that offered by Senate Bill 274, was the only acceptable solution to the military brass.

The armed forces' position is interesting because it is a 180 degree turn from a policy statement that the largest of the three branches, the Army, had issued in the late 60's when the threat of military unions first surfaced.

¹¹ Andy Plattner, "DoD, Services Differ on Law to Bar Unions," Army Times [Washington, D.C.], August 1, 1977, p. 1, col. 5.

In view of the constitutional right to freedom of association, it is unlikely that mere membership in a "servicemen's union" can be constitutionally prohibited. . . .¹²

Why the change in position? It appears that the military is abandoning caution in the pursuit of a prize-- legislation banning military unions--which is a prospect the armed forces did not face in the late 60's.

Despite the armed forces change in opinion, there has not been a corresponding change in legal opinion on the subject of freedom of association. The Supreme Court still holds the First Amendment to be an important element of democracy and it still adheres to its previous ruling expanding the protection of the First Amendment to include the right of association. Despite the Supreme Court's reluctance to rule on military affairs, the prospect of 2.1 million Americans (servicemen) being denied their freedom of association by a law (Senate Bill 274) aimed at depriving them of their right to join unions would most likely compel the High Court, by the sheer magnitude of the people involved, to break with tradition and rule on the constitutionality of such a law. In the event of a ruling, a decision striking down a total ban on union membership by armed forces personnel would be more probable than a

¹²Walter Mossberg and Richard Levine, "Union Plans '76 Drive to Represent Servicemen; Legalities Are Explored, and Pentagon Shudders," Wall Street Journal, June 27, 1975, p. 30, col. 1.

decision upholding legal sanctions against union participation by servicemen.

A Closer Look at the
"New" Directive

Is it possible that a law prohibiting all military personnel from becoming union members would be more vulnerable in the courts than a carefully worded directive aimed at restricting the growth of unions through regulation? The Department of Defense and Dr. Brown think so. They feared that an outright ban on union membership by military personnel would be too easily overturned in the courts. This reasoning prompted the Secretary of Defense to issue a new directive which replaced a previous order, Department of Defense Directive 1325.6 which covered only one aspect of unionism--collective bargaining. "Commanders are not authorized to recognize or to bargain with a so-called serviceman's union."¹³

The new directive is more detailed than the previous order and addresses not only collective bargaining but also union membership, work slowdowns, and the dissemination of printed materials.

The anti-union directive regulates union recruitment efforts on military installations if such

¹³"Civilian Union to Start Organizing Guard/Res," Air Force Times [Washington, D.C.], January 5, 1976, p. 6, col. 2.

activities as "determined by the commander . . . pose a clear danger to the discipline, obedience to lawful orders or chain of command of the armed forces."¹⁴ This would in effect ban public meetings and the distribution of printed materials; however, it would not be expected to affect individual solicitations.

Military personnel would also be prohibited from participating in strikes, work slowdowns, or collective bargaining. Membership would be prohibited in unions that advocated or practiced such restricted activities or presented a "clear danger" to military discipline.¹⁵

Commanders would also be prohibited as they were under the old directive from "negotiating or engaging in collective bargaining with any person or organization."¹⁶

The responsibility for regulating union activities and for determining what constitutes a threat to discipline is entirely up to the commander. Under the directive there is no appellate process.

AFGE Pulls Out

Interestingly enough, the issuance of the Department of Defense directive, Congressional and military resistance, and even the threat of the passage of anti-union

¹⁴"Directive Focuses on Unionization Problem," Army Times [Washington, D.C.], August 8, 1977, p. 19, col. 5.

¹⁵Ibid., p. 28, col. 4.

¹⁶Ibid., p. 19, col. 1.

legislation failed to dampen or slow the AFGE's quest to enroll servicemen as union members. Yet three months after the issuance of the directive and only one year after the union delegates had enthusiastically and overwhelmingly voted to change the union constitution to admit military personnel, the dream of organizing the armed forces was abandoned. What had happened in this short time that persuaded the union not to organize the military?

Two events occurred which caused the union to do an about face. The first was the unexpected death of the union president, Clyde M. Webber, who had been the driving force behind the union's efforts to add servicemen to its ranks. Army Times, the weekly service newspaper, reported that Mr. Webber "had been a major supporter of admitting military people" into the union.¹⁷ His untimely death removed the major impetus behind unionizing the military. He was succeeded by Kenneth Blaylock who does not share his predecessor's zeal for annexing military personnel into the union.

The second reason for the change in the union's attitude toward organizing the military occurred because of the growing misgivings the union membership had about admitting servicemen into the union.

¹⁷ Lee Ewing, "Union Chiefs Vote to Open Rolls to Military," Army Times [Washington, D.C.], June 28, 1976, p. 4, col. 1.

There was considerable consternation among the rank and file over granting military personnel full membership rights; yet, without such a decision, AFGE officials knew they could not hope to attract servicemen into the union. Consequently, the union leadership felt compelled to issue the following statement. "AFGE military members should, as nearly as possible, have the same rights, privileges and benefits afforded any other AFGE member."¹⁸

Extending to servicemen the same benefits and privileges accorded the rank and file disturbed much of the membership. They were fearful that the military, which is comprised of 2.1 million servicemen, would dominate the 375,000 member union. This resistance became readily apparent when the union's 1,566 locals held a referendum vote during the summer of 1977 on the issue of whether or not to unionize the armed forces. Eight out of ten (80%) voted not to admit military personnel into the union.¹⁹ This was a surprise to the union's management because less than a year before, over two-thirds of the delegates to the national convention had overwhelmingly approved the idea.

Bowing to the wishes of the rank and file, however, union officials postponed indefinitely any plans to recruit

¹⁸"Union Drafts Plan for Organizing," Air Force Times [Washington, D.C.], June 20, 1977, p. 9, col. 1.

¹⁹"On Unionizing the Armed Forces, Some 80 Percent Said 'No,'" The Officer (October, 1977), 5.

servicemen into the union.

IS THIS THE END OF MILITARY UNIONISM?

The decision by the AFGE to abandon their plans of organizing the armed forces removed the threat of unionism from the military. Does this action signal the end of military unionism?

For the present yes; for the future no. AFGE's attempt to unionize the military was not aborted because of pressure from Congress, the military, or even the threat of anti-union legislation; rather the decision was made by the membership out of a fear that newly initiated military members would dominate the union. Future organization attempts by unions composed exclusively of military personnel or larger unions willing to absorb the influx of servicemen will be aware of the problems and pitfalls of military unionization because of AFGE's example. If nothing else, the AFGE showed that the armed forces is not immune to unionization.

Most importantly, no legislation has been enacted nor have any judicial decisions been handed down barring unions from the military. The door is open for labor unions to organize the armed forces if they adhere to the new Defense Department Directive and eschew strikes, boycotts, work slowdowns and collective bargaining.

What About Senate
Bill 274?

In late 1977, Senate Bill 274 passed the Senate by a vote of 72-3. From there it went to the Investigations Subcommittee of the House Armed Services Committee.²⁰

The bill has one more year (1978) to be passed by the House of Representatives in its present form. If it fails House passage during the 95th Congress (1977-1978), it must be reintroduced during a future Congress.

Judging by the overwhelming support the bill received in the Senate it is almost certain to be passed by the House, is it not?

No, it is not. The bill had received support from the Senate because at the time the vote was taken, the AFGE was actively pursuing their ambition of organizing the military. Since then AFGE has dropped its plans to admit military personnel into the union. Consequently, tempers have cooled and the urgency behind the bill's passage has been greatly reduced, so much so that many military observers believe that the House will not act on the bill during the 95th Congress.

This inaction by the House of Representatives on the bill's passage is of great concern to military leaders and was the topic of an editorial in Army magazine in which

²⁰"Military Union Ban Progresses in Congress,"
The Officer (December, 1977), 12.

the publication chided Congress for its failure to act.

If Congress decides that the AFGE decision [not to organize the military] takes the urgency out of prompt action, the services will remain big, fat targets for whoever wants to test whatever Defense Department regulations may exist in the future. . . . The next time, lawmaker support for this badly needed legislation [to prohibit military personnel from joining unions] may be too little and too late.²¹

Will the Military Ever Organize?

Will the armed forces organize in the future?

Probably, reports a Pentagon contract study conducted by Kramer Associates, Incorporated. They reported in a study released by the Defense Department:

There will be a distinct possibility for the foreseeable future of some form of collective bargaining for military personnel to improve pay and working conditions or to strengthen due process and participation in the decisions which affect their lives [emphasis added].²²

Ken Blaylock, President of the AFGE, also agrees that the military will probably be represented by a union in the future. ". . . the military will organize if problems are not resolved, regardless of what AFGE does."²³

The opinion held by Mr. Blaylock and also presented

²¹"Unionization Battle Is Not Over," Army (October, 1977), 11.

²²"Military Union: Resistance by Public Seen Declining," Air Force Times [Washington, D.C.], February 28, 1977, p. 2, col. 1.

²³Andy Plattner, "AFGE: Neglect by Congress Breeds Unions," Army Times [Washington, D.C.], August 8, 1977, p. 1, col. 1.

in the Defense Department contract study--that there is a high probability that the military will organize in the future--is supported by the Army survey taken during the summer of 1977.

Of the enlisted personnel surveyed, 53% thought there was a need for a military union in the Army and would welcome its establishment (Table 4, page 47). This desire for union representation, expressed by the enlisted personnel polled, may be a portent for the future.

Why would such a large number of the respondents (40% overall) be in favor of a union? According to survey question 16--A military union should become involved with . . . (a multiple choice response²³)--an overwhelming number of the enlisted personnel (83%) and the vast majority of the officers (61%) felt that a union could (Tables 19, 20, and 21) (a) achieve higher pay, (b) handle grievances concerning duty assignments, and (c) handle grievances concerning disciplinary actions.²⁴

More servicemen thought that a union could

²³The respondents were encouraged to mark as many of the multiple choice responses as they wished. Consequently, it is not possible to accurately examine the individual popularity of each response, as many of the respondents marked several answers.

²⁴The fourth response, (d) exercising control over military members during wars or national emergencies, was covered at length in Chapter 4. In deference to its previous presentation and also because only a small number of respondents chose it as an answer (1%) it will not be discussed again.

effectively represent military personnel in their quest for higher pay and a more equitable grievance process than perceived a need for a union. This discrepancy (29% for the enlisted personnel and 33% for the officers) was not unexpected. For a serviceman to indicate that he feels there is a need for a union is virtually the same thing as saying that a military union belongs in the armed forces. This is too strong of a statement for many of the conservative respondents (30%) who would be more likely, as the survey indicates, to admit instead that a union could effectively work toward improving military pay and the establishment of an equitable grievance process.

The most popular single response to question 16 was the first answer, (a) achieving higher pay, which one out of every five respondents (20%) preferred over the other responses. Only a handful of those surveyed, however, chose only "b" or "c" (3% and 1%, respectively), while 16% of the servicemen chose all three answers, a, b, and c. The remaining respondents chose combinations of the answers or marked the last response, none of the above (28%).

Survey questions 2 and 16 point out two important facts. First, that a large number of the servicemen surveyed (40%) feel that they have needs that are not being resolved by Congress or the military. Secondly, almost three-fourths of the respondents (70%) feel that a military union can achieve or at least work toward filling these

unmet needs.

Does this mean that the military will organize in the future? It is impossible to say for certainty; however, there is no legislation prohibiting union activity and in the absence of a Supreme Court ruling preventing unionization of the armed forces, one would have to agree with the report issued by the Third Quadrennial Review of Military Compensation Committee. "Conditions that led to unionization of civilian police and firemen in recent years are present in the armed forces today."²⁵

²⁵Randy Shoemaker, "Union Parallel Seen in Military, Police," Air Force Times [Washington, D.C.], April 18, 1977, p. 3, col. 3.

Table 19

16. A Military Union Should Become Involved with
 (a) Achieving Higher Pay, (b) Grievances
 Concerning Duty Assignments, (c) Grievances
 Concerning Disciplinary Actions, (d) Exercising
 Control Over Military Members During War or
 National Emergencies, (e) None of the Above

By Educational Level

Years	A	%	E	%	AB	%	AC	%	ABC	%	ABD	%	ACD	%	BC	%
12	44	24	28	15	29	16	13	7	26	14	3	2	19	10	6	3
13	17	27	14	23	6	10	5	8	12	19	-	-	3	5	1	2
14	24	28	14	16	14	16	8	9	13	15	1	1	4	5	3	4
15	7	23	7	23	2	7	1	3	5	17	-	-	5	17	-	-
16	50	15	120	36	43	13	15	5	53	16	3	1	9	3	8	2
17	2	10	9	45	3	15	3	15	2	10	-	-	-	-	-	-
18	18	20	29	33	10	11	6	7	15	17	-	-	3	3	1	1
19	1	17	1	17	-	-	-	-	1	17	-	-	2	33	-	-
Total	163	20	222	28	107	13	51	6	127	16	7	1	45	6	19	2

Years	9*	%	D	%	C	%	BCD	%	B	%	AD	%	RS
12	-	-	3	2	2	1	2	1	6	3	6	3	187
13	-	-	-	-	2	3	-	-	2	3	-	-	62
14	-	-	1	1	-	-	-	-	2	2	1	1	85
15	-	-	-	-	-	-	1	3	1	3	1	3	30
16	10	3	3	1	2	1	1	-	9	3	1	-	329
17	1	5	-	-	-	-	-	-	-	-	-	-	20
18	2	2	-	-	-	-	-	-	2	2	2	2	88
19	-	-	-	-	1	17	-	-	-	-	-	-	6
Total	13	2	7	1	7	1	4	.5	22	3	11	1	807

*Column 9--no response

NOTE: Respondents were encouraged to mark as many responses as they wished.

Table 20

16. A Military Union Should Become Involved with
 (a) Achieving Higher Pay, (b) Grievances
 Concerning Duty Assignments, (c) Grievances
 Concerning Disciplinary Actions, (d) Exercising
 Control Over Military Members During War or
 National Emergencies, (e) None of the Above

By Rank																	
Rank	A	%	E	%	AB	%	AC	%	ABC	%	ABD	%	ACD	%	BC	%	
E-1	39	29	18	13	22	16	8	6	14	10	4	3	14	10	4	3	
E-2	2	6	5	15	4	12	4	12	7	21	-	0	4	12	-	0	
E-3	6	17	6	17	5	14	3	9	10	29	-	0	2	6	1	3	
E-4	2	7	3	11	3	11	3	11	6	21	1	4	5	18	1	4	
E-5	1	11	2	22	1	11	1	11	3	33	-	0	-	0	1	11	
E-6	16	25	11	17	9	14	4	6	14	22	-	0	7	11	1	2	
E-7	18	30	15	25	5	8	4	7	15	25	-	0	2	3	1	2	
E-8	1	14	4	57	2	29	-	0	-	0	-	0	-	0	-	0	
E-9	1	50	-	0	-	0	-	0	1	50	-	0	-	0	-	0	
Total	86	23	64	17	51	14	27	7	70	19	5	1	34	9	9	2	
W01	5	38	2	15	2	15	1	8	-	0	-	0	-	0	1	8	
W02	1	50	1	50	-	0	-	0	-	0	-	0	-	0	-	0	
W03	-	0	1	50	-	0	1	50	-	0	-	0	-	0	-	0	
W04	1	100	-	0	-	0	-	0	-	0	-	0	-	0	-	0	
Total	7	39	4	22	2	11	2	11	0	0	0	0	0	0	1	6	
O-1	26	13	74	38	22	11	12	6	27	14	2	1	3	2	6	3	
O-2	7	20	8	23	5	14	2	6	10	29	-	0	1	3	-	0	
O-3	36	21	61	36	26	15	8	5	19	11	-	0	5	3	3	2	
O-4	1	7	8	57	1	7	-	0	-	0	-	0	2	14	-	0	
O-5	-	0	2	67	-	0	-	0	1	33	-	0	-	0	-	0	
O-6	-	0	1	100	-	0	-	0	-	0	-	0	-	0	-	0	
Total	70	17	154	37	54	13	22	5	57	14	2	.5	11	3	9	2	
All Enlisted	86	23	64	17	51	14	27	7	70	19	5	1	34	9	9	2	
All Officers	77	18	158	36	56	13	24	6	57	13	2	.5	11	3	10	2	

*Includes warrant officers

Table 20 (continued)

By Rank																	
Rank	g**	D	C	BCD	B	AD	CD	BD	RS								
E-1	-	0	1	1	2	1	3	2	4	3	1	1	-	0	-	0	134
E-2	-	0	2	6	-	0	-	0	3	9	3	9	-	0	-	0	34
E-3	-	0	-	0	-	0	-	0	2	6	-	0	-	0	-	0	35
E-4	-	0	2	7	-	0	-	0	2	7	-	0	-	0	-	0	28
E-5	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	9
E-6	-	0	-	0	2	3	-	0	-	0	-	0	-	0	-	0	64
E-7	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	60
E-8	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	7
E-9	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	2
Total	0	0	5	1	4	1	3	1	11	3	4	1	0	0	0	0	373
W01	-	0	-	0	-	0	-	0	-	0	2	15	-	0	-	0	13
W02	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	2
W03	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	2
W04	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	1
Total	0	0	0	0	0	0	0	0	0	0	2	11	0	0	0	0	18
O-1	8	4	1	1	2	1	1	1	8	4	-	0	1	1	1	1	194
O-2	1	3	-	0	-	0	-	0	1	3	-	0	-	0	-	0	35
O-3	2	1	1	1	1	1	-	0	2	1	5	3	-	0	-	0	169
O-4	2	14	-	0	-	0	-	0	-	0	-	0	-	0	-	0	14
O-5	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	3
O-6	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	1
Total	13	3	2	.5	3	1	1	0**	11	3	5	1	1	0**	1	0**	416
All Enlisted	0	0	5	1	4	1	3	1	11	3	4	1	0	0	0	0	373
All Officers*	13	3	2	.5	3	1	1	0**	11	3	7	2	1	0**	1	0**	434

*Includes warrant officers

**Answers less than one-half of 1 percent

***Column 9--no response

Table 21

16. A Military Union Should Become Involved with
 (a) Achieving Higher Pay, (b) Grievances
 Concerning Duty Assignments, (c) Grievances
 Concerning Disciplinary Actions, (d) Exercising
 Control Over Military Members During War or
 National Emergencies, (e) None of the Above

Years of Military Service																	
Years	A	%	E	%	AB	%	AC	%	ABC	%	ABD	%	ACD	%	BC	%	
00	45	20	47	21	31	14	10	5	38	17	4	2	15	7	9	4	
01	19	20	19	20	15	16	7	7	9	10	2	2	9	10	2	2	
02	3	10	12	41	1	3	4	14	5	17	-	0	-	0	1	3	
03	6	16	8	21	5	13	4	11	7	18	1	3	2	5	1	3	
04	8	13	24	39	8	13	2	3	11	18	-	0	1	2	2	3	
05	6	13	13	29	9	20	3	7	9	20	-	0	1	2	-	0	
06	15	31	9	18	4	8	4	8	8	16	-	0	5	10	1	2	
07	13	24	19	35	8	15	4	7	4	7	-	0	1	2	-	0	
08	9	23	13	33	7	18	3	8	4	10	-	0	2	5	-	0	
09	7	32	5	23	4	18	-	0	3	14	-	0	1	5	-	0	
10	4	14	7	25	4	14	1	4	8	29	-	0	1	4	1	4	
11	2	13	8	53	1	7	2	13	1	7	-	0	1	7	-	0	
12	5	25	6	30	2	10	2	10	2	10	-	0	-	0	-	0	
13	2	17	4	33	2	17	-	0	3	25	-	0	-	0	-	0	
14	6	38	3	19	2	13	1	6	2	13	-	0	2	13	-	0	
15	4	29	6	43	1	7	-	0	1	7	-	0	-	0	2	14	
16	1	13	3	38	2	25	1	13	-	0	-	0	1	13	-	0	
17	2	15	4	31	-	0	3	23	2	15	-	0	2	15	-	0	
18	-	0	2	20	1	10	-	0	6	60	-	0	1	10	-	0	
19	-	0	3	60	-	0	-	0	2	40	-	0	-	0	-	0	
20	2	40	2	40	-	0	-	0	1	20	-	0	-	0	-	0	
22	1	33	2	67	-	0	-	0	-	0	-	0	-	0	-	0	
23	-	0	1	50	-	0	-	0	1	50	-	0	-	0	-	0	
24	3	100	-	0	-	0	-	0	-	0	-	0	-	0	-	0	
25	-	0	1	100	-	0	-	0	-	0	-	0	-	0	-	0	
27	-	0	1	100	-	0	-	0	-	0	-	0	-	0	-	0	
Total	163	20	222	28	107	13	51	6	127	16	7	1	45	6	19	2	

Table 21 (continued)

Years of Military Service																	
Years	9*	%	D	%	C	%	BCD	%	B	%	AD	%	BD	%	CD	%	RS
00	5	2	-	0	-	0	3	1	9	4	3	1	1	.5	-	0	220
01	-	0	3	3	2	2	1	1	4	4	2	2	-	0	-	0	94
02	-	0	-	0	-	0	-	0	2	7	-	0	-	0	1	3	29
03	1	3	1	3	-	0	-	0	1	3	1	3	-	0	-	0	38
04	4	7	1	2	-	0	-	0	-	0	-	0	-	0	-	0	61
05	-	0	-	0	1	2	-	0	1	2	2	4	-	0	-	0	45
06	-	0	1	2	-	0	-	0	1	2	1	2	-	0	-	0	49
07	1	2	1	2	-	0	-	0	3	6	-	0	-	0	-	0	54
08	-	0	-	0	-	0	-	0	1	3	-	0	-	0	-	0	39
09	-	0	-	0	2	9	-	0	-	0	-	0	-	0	-	0	22
10	-	0	-	0	1	4	-	0	-	0	1	4	-	0	-	0	28
11	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	15
12	2	10	-	0	-	0	-	0	-	0	1	5	-	0	-	0	20
13	-	0	-	0	1	8	-	0	1	0	-	0	-	0	-	0	12
14	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	16
15	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	14
16	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	8
17	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	13
18	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	10
19	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	5
20	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	5
22	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	3
23	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	2
24	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	3
25	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	1
27	-	0	-	0	-	0	-	0	-	0	-	0	-	0	-	0	1
Total	13	2	7	1	7	1	4	.5	22	3	11	1	1	0**	1	0**	807

*Column 9--no response

**Answers less than one-half of 1 percent

Chapter 10

CONCLUSION

The decision by the rank and file of the American Federation of Government Employees (AFGE), to withdraw from their goal of representing military personnel removed the prospect of union activity from the armed forces. Politicians breathed a sigh of relief and joined with many of the military leaders in viewing the AFGE action as a victory for the anti-union forces. In reality, however, the battle over union representation of servicemen had not been won by either the union proponents or opponents, it had been merely postponed. How is it known that the issue of military unionism has not been resolved? Because of the findings of this study.

FINDINGS

According to the poll, the desire for union representation is alive and well. Four out of every ten of the 807 servicemen surveyed (40%) favor the establishment of a union in the armed forces.

Why would such a large number of the respondents favor unionism? Because many of the servicemen (70%) believe that a military union could work toward filling

some of their unmet needs. These perceived needs range from wanting higher pay to desiring an effective grievance process.

These needs have not disappeared just because the AFGE decided to abandon its quest of organizing the armed forces. The desire for union representation is too strong and involves too large a number of the respondents for it to be swept away by the failure of a single union to organize the military.

The reason why such a large number of the respondents (40%) are receptive toward unionism is because they are unhappy with the status quo. This dissatisfaction becomes readily apparent when one finds that the vast majority of the servicemen (70%) feel that Congress and the military are not working toward meeting their needs and that a military union could. This is an important revelation when one considers that 30% more of the servicemen believe that a union could help them achieve their goals of higher pay and more effective representation than would be in favor of a military union. This 30%, if convinced that military benefits will continue to erode and that Congressional paternalism will continue to decline, could conceivably join the 40% who would welcome a union. This would result in the armed forces becoming a likely candidate for organization because the majority of the military personnel would be union supporters. Could this

happen? Is it possible that the servicemen are becoming disenchanted with the continued unresponsiveness of Congress and the military toward solving their problems?

This appears to be the case. That they are not being paid comparable wages in relationship to their civilian counterparts is the belief of 63% of the respondents, which is a matter of growing discontent within the military. Also an overwhelming number of the respondents (81%) are of the opinion that a military union could represent military personnel in an effective manner.

In view of this sentiment, the majority of the respondents should be willing to join a union, is it not true? Yes and no. When asked if they would join a union, 54% of the enlisted personnel said yes, while 78% of the officers said no. Despite the officers rejection of union membership, the group favoring unionism (37% overall) is still a sizeable number and indicates that there are a lot of dissatisfied servicemen in the Army.

The responses also show that there is a perceptible difference of opinion, which runs throughout the survey, between the enlisted personnel who tend to be more receptive toward unionism and the officers who have a propensity to reject union representation. This is not surprising. It would be expected that the enlisted personnel--who as a group are the least paid, most over-worked, and least represented--would be supportive of an

organization (i.e., a military union) that seeks to improve military pay, establishes an effective grievance process, and investigates complaints concerning duty assignments. The officers in contrast are a different story. As management, it would have been a disturbing conflict of interest if they had supported an activity that sought to limit their decision-making ability and authority.

Interestingly enough, the failure of the AFGE to organize the armed forces was not regarded as a setback by pro-union servicemen. In fact the survey results suggest that many of the pro-union respondents were happy that AFGE had failed in its attempt to establish a military union. According to the survey data, military personnel want no affiliation with labor unions (i.e., the AFGE). The enlisted respondents (78%) and the officers (83%) rejected any association between a military union and a civilian union.

The servicemen's distaste for civilian influence in a potential military union was also evident in the responses to the follow-up question--Who should form military union leadership? Eight out of every ten enlisted personnel (83%) and 79% of the officers surveyed were of the opinion that civilians should not hold leadership positions in a military union. Apparently the servicemen feel that civilians would be ineffective managers of a military union because of their lack of military experience,

which could prove a serious handicap in directing the activities of an organization that was committed to understanding the needs of the servicemen.

These data would suggest that while over one-third of the respondents would join a union, and four out of every ten (40%) think a union should exist, the servicemen would only support and join a union that was independent of civilian unions and composed entirely of military personnel. In other words, servicemen want their own union, organized and run by themselves.

Only by preserving the integrity of a military union (by excluding civilians) do the respondents believe that they can achieve a sympathetic and responsive organization that would be effective in representing their needs. After all, if the union's management and membership are composed entirely of servicemen, there can be little question as to where their loyalties lie.

Critics of military unionism often espouse the conviction that a union would adversely affect the discipline of the troops and result in a reduction in the combat effectiveness of the armed forces. The survey supports this contention. Of the servicemen polled, 64% were of the opinion that a military union would have a negative effect on discipline.

An almost equal number of respondents (59%) agreed that the reduction in discipline would result in a

commensurate drop in the combat effectiveness of the military. The relationship between the level of discipline and the effectiveness of the armed forces is interesting because military strategists have advocated for some time that there was a direct link. The survey results show that the majority of the servicemen polled believe that there is a direct relationship between the two.

Why would effectiveness and discipline decline with the advent of unionism?

The reason advanced by many of the respondents is the belief that a military union would encourage the airing of complaints and grievances which would promote discord between those presently responsible for the establishment and maintenance of discipline, the officers and senior non-commissioned officers (senior enlisted personnel), and the rest of the troops, the enlisted personnel. Unlike the armed forces which is committed to the successful discharge of a mission (i.e., to repel and neutralize enemy forces in wartime), union representatives would be concerned with identifying inconsistencies in discipline and policy and offering corrective or remedial action. This could result in the two organizations, the military and the union, working at cross purposes, which according to the respondents would negatively affect the successful accomplishment (effectiveness) of the mission.

Despite the feeling among the majority of the

respondents that discipline and effectiveness would decline with the advent of unionism, 52% of the servicemen surveyed do not believe Congress should outlaw military unions. This is not surprising because the respondents have displayed a strong disdain for any civilian influence in a potential military union. In previous questions, the servicemen rejected labor union affiliation and civilian leadership roles in a union. The trend that becomes apparent is that military personnel do not want nonmilitary personnel (civilians) dictating policy or influencing the formation or management of a military union. In short, military personnel want to deal with the issue of unionism themselves rather than having the government attempt to resolve the issue with the imposition of rules and regulations on union activity and membership.

This desire for independence is very strong as evidenced by the refusal of the officers and enlisted personnel (88% and 81%, respectively) in survey question 10 to endorse a legislative enactment which would have made membership in a military union compulsory. Thus it would appear that the respondents view any legislative actions, whether aimed at banning military unions or making membership in them mandatory, as unwelcome interference.

Many military and political leaders talk of resorting to legislative means of controlling and even prohibiting military unions because they fear that if

servicemen become organized they will engage in strikes, work slowdowns, and even political activity.

According to the survey, the likelihood of the servicemen participating in a strike or work slowdown is small because the respondents do not favor such militant actions. On the other hand the respondents do favor partisan political activity because they do not believe that a politically neutral union would be an effective union.

Of the respondents, 76% (84% of the officers and 66% of the enlisted men) rejected work slowdowns, and an almost equal number (75%) vetoed the use of strikes as potential bargaining tools by a military union. The overwhelming consensus not to engage in strikes or slowdowns (only a 1% difference between the two responses) would be expected to greatly reduce the likelihood of a military union calling for either action because the rank and file clearly would not support such militancy.

The issue of political activity is another matter, however. Over half of the respondents (55%) feel that a military union could not remain politically neutral and still adequately represent its membership. This could prove to be a real problem if it results in the abandonment of traditional nonpartisanship of the armed forces. A military union that engaged in partisan politics could compromise the ability of the armed forces to carry out the dictates of the party in office, as a politically active

union would commit itself and the military to supporting certain policy objectives which could conceivably be in conflict with the policy objectives of the President or Congress. It is also possible that a partisan military union, which is supposed to represent an armed forces which is subordinate and subject to civilian control, might actually attempt to influence policy decisions by the government.

In the event a military union were established, it would not be unreasonable to expect that the membership (the servicemen) would want to engage in political activity. If the union leadership yielded to its membership's wishes and allowed the organization to enter into partisan politics, the political neutrality of the armed forces would be compromised.

In the final analysis, it will most likely be the servicemen and not the AFGE or some other union that will organize the military. At present, pro-union sentiment among the servicemen is not strong enough to say with certainty that unionism is inevitable; however, it cannot be said that the military will be free of union stewards in the future either.

It would be a grave mistake for the military establishment to view the defeat of AFGE's drive to organize the armed forces as the end of military unionism. The demise of AFGE's quest to represent military personnel may have

temporarily halted the threat of union activity; however, it did nothing toward resolving the underlying cause of union support--the continuing reduction of military benefits.

Many of the respondents in the survey indicated that they would welcome the aid of an ally to help prevent further erosion of their pay and benefits. In the past this ally would have been Congress or even the military establishment itself. No longer--since the end of the Vietnam conflict, Congress has abandoned its traditional paternalistic role, and the military leadership is more concerned with winning approval of new weapons systems (i.e., neutron bomb, B-1 bomber) than it is about meeting the needs of its personnel. In view of these developments, the servicemen have awakened to the realization that if things do not change quickly they will be compelled to seek a new ally--a military union.

SUMMARY

A military union in the U.S. Army? Such an idea would have been unthinkable five years ago; however, the advent of the volunteer Army and its resulting civilianization of military life has led many new recruits to think of themselves as employees and the Army as just another job. This attitude has greatly blurred the distinction between military service and a civilian occupation, which has encouraged a large number of the new enlistees to wonder

why they should not enjoy the benefits of an organization that is familiar to the civilian world--the union.

Despite the growing support within the Army ranks for change (i.e., union representation), much of the military leadership still adheres to the principle that military defense is an unchanging institution and as such is invulnerable to the efforts of union organizers.

The military brass is wrong. Servicemen are becoming more and more susceptible to unionization because they are growing disillusioned with the status quo. Congress has turned from ally to foe in the eyes of many servicemen because it continues to cut military benefits while the military, which is supposed to look out for the interests of its personnel, watches from the sidelines unwilling to voice any serious objections because it does not want to jeopardize its chances for winning approval of new weapons systems.

The servicemen feel that the Commander-in-Chief also has abandoned them because of his attempts in the past to delay routine cost-of-living wage adjustments for federal employees (i.e., military personnel). The attempts by President Ford to delay the military pay adjustment upset the servicemen because under the Pay Comparability Act, cost-of-living increases are supposed to be automatic.

In an attempt to defeat the delay proposal, the servicemen were forced to team up with the AFGE (the

largest public employee union of federal employees) to win their promised pay increases. The alliance between the union and the servicemen most likely would have been temporary if it were not for the decision by President Ford to contest future cost-of-living adjustments. This action by the Executive Office convinced military personnel that the fight for pay comparability increases would be a permanent one and that they would need the help of the AFGE in the future.

AFGE also came to the conclusion that there would be future battles over the issue of pay comparability and that the only way they could be won would be by cementing the temporary alliance between themselves and the servicemen. Consequently, the union membership in September, 1976 voted to change their constitution to allow military personnel to join. This action prompted a loud outcry from the military community which was not happy with the news that the armed forces had become a target for unionization. What with its 2.1 million personnel, the military would make an attractive addition to AFGE's membership rolls and treasury.

The determination by the AFGE to act as union organizers was a logical decision because the union already represented over one-third million civilian defense employees who worked side by side with military personnel. Union officials felt this close association with the

military work environment gave them an appreciation of the servicemen's concerns, problems, hopes, and aspirations.

Perhaps the union was right. Maybe they did understand the servicemen's plight and had earned the right to try to organize the military because of their successful defense of their cost-of-living increase. Unfortunately for the union, they understood their own membership less than the military personnel they hoped to represent.

Union management had not anticipated that they would have problems on their own home front. Ironically, it was their own troops, the union membership, and not the servicemen that eventually rejected union representation of military personnel. AFGE members were not ready to relinquish control of their 375,000 member union to 2.1 million servicemen even if it resulted in AFGE becoming the largest and most powerful AFL-CIO union.

Interestingly enough the antimilitary union legislation sponsored by Senator Stennis did not play an appreciable role in persuading the union membership to reconsider their plans for representing military personnel. Self-interest and a desire on the part of the AFGE membership to retain control of their union and not the threat of legislative coercion convinced the largest union of public employees to drop their plans for organizing the armed forces.

In view of the turn of events, will the armed forces

ever see a military union? It is impossible to say. However, one thing can be said for certain. As long as the servicemen feel that Congress and the military are unresponsive to their problems, they will continue to seek a means of resolving their present hardships which means that the possibility of unionism is still very much alive.

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APPENDIXES

APPENDIX A

AN INFORMAL SURVEY ON THE SUBJECT OF MILITARY UNIONS

Grade _____ Years of Military service _____ Education Level _____

INSTRUCTIONS: Circle the response that best expresses your opinion.

1. Would you join a military union? Yes No
 2. Is there a need for a military union? No Yes
 3. Should officers be excluded from a union? Yes No
 4. What effect would a military union have on the effectiveness of the Army?
 - a) no effect
 - b) effectiveness would be decreased
 - c) effectiveness would be increased
 5. Would a military union have a negative effect on discipline? No Yes
 6. Strikes can be a legitimate means of collective bargaining, and should be permitted for military personnel in non-critical jobs. Agree Disagree
-
1. Could a military union bargain more effectively than an individual? Yes No
 2. Should a military union be affiliated with civilian unions? No Yes
 3. Who should form military union leadership? Civilians Military Personnel
 4. Should membership in a military union be mandatory? Yes No
 5. Should military unions have the power to call a "work-slowdown" as a bargaining tool? No Yes
 6. Should Congress pass a law prohibiting military unions? Yes No
 7. Could a military union remain politically neutral and still represent its' members adequately? No Yes
 8. Do you believe a military union should establish a grievance process for its' members? Yes No
 9. Do you believe military personnel are paid comparable wages in relationship to their civilian counterparts? No Yes
 10. A military union should become involved with* *(mark as many responses as you wish)
 - a) achieving higher pay.
 - b) grievances concerning duty assignments.
 - c) grievances concerning disciplinary actions.
 - d) exercising control over military members during war or national emergencies.
 - e) none of the above.

APPENDIX B

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"Part of the decision is seeing how your parents will accept it. I had wanted to go out and learn what life's about, to put myself in situations which would demand more of me. I started dropping hints to my Dad about the Army. I think he was against it at first. But when he found out the advantage to me, he came around. I had decided where I wanted to go, but someone's approval always helps you open the door."

PVT Victor Grylls, U.S. Army

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 who've joined the Army.**

APPENDIX C



DEPARTMENT OF THE ARMY
U.S. ARMY ADMINISTRATION CENTER
FORT BENJAMIN HARRISON, INDIANA 46216

ATSG-AS

26 October 1977

TO WHOM IT MAY CONCERN

This letter is written to attest to the following facts:

- a. 2LT Tob Seven conducted a poll on the subject of military unions.
- b. This poll was conducted during the months of July and August of 1977.
- c. 807 officers and enlisted personnel were surveyed.
- d. I was aware of the poll.
- e. 2LT Tob Seven furnished me with a copy of the poll.

The above poll was conducted under my specific daily supervision. LT Seven was under my direct control during the period of time the poll was conducted. I hereby attest to the accuracy of the above information.

Raymond L. Madsen
RAYMOND L. MADSEN
MAJ, USA
Chief, Prof Devel Div

